In Rama Ramanuja Mudaliar Vs. Kasturbai Ammal, 49 I.A. 54 there was a permanent lease granted by a mutt and the question as to its validity came into the question nearly 100 years thereafter. Upon the record it is impossible to ascertain the circumstances under which that grant was originally made. But the Court applied the doctrine of ancient transactions and assumed that the grant was lawfully made, the policy of the law being to preserve ancient title and quiet possession. That aspect was referred to in Mohamad Muzaffar Ali Chowdhri Vs. Jabeda Khajun (1930) 57 I.A. 135 notwithstanding the fact that the alienor was prohibited by the deed of appointment from granting permanent lease. There are several cases where the principles governing the raising of presumption of a lawful origin of right long enjoyed in the absence of evidence has been clearly examined and explained, as observed in Mohamad Muzaffer Vs. Jabeda Khatun it is the completion of a right, to which circumstances clearly point, where time has obliterated any record of the original commencement. It may be noted that that doctrine has been invoked in a case of a grant which has only 25 years old, see Arumugam Pillai Vs. Ramakavaukar Pandara 44 I.A. 96. In Chintaman Bhatta Venkat Reddi Vs. Rani of Wadhwan (1919) 47 I.A. 6, the same presumption was raised to support the sale by a Hindu widow although in that case no deed was ~~raised to support the sale~~ forthcoming. We are asked to invoke that principle by the learned

that principle by the "transfer" rule for the respondent s and the question is whether we could rightly do so in the circumstances of this case. That is largely a question to be determined upon the facts established. I am not satisfied that the absence of evidence is due only to lapse of time. The respondents-defendants are largely responsible for shutting out evidence during the condition of the math during part of the management of Tengalurs wami. It is not enough to prove that there has been lapse of time between the date of the alienation and the date when the grant was impugned. That is one of the factors to be considered in applying the doctrine. But the principal factor is whether lapse of time is the sole reason which has led to the loss of evidence. Although I do not claim familiarity with Lingayat Maths in this Presidency there is reason to believe upon the record that the devotees generously provided for the maintenance of the math at Hubli and the subordinate maths. The heads of the latter maths came to the Head Swami for getting a share in the funds at his disposal. In the time of Gurushidde wami the administration of those maths was transferred to a Committee which was largely composed of the devotees who contributed the principal portion of the income for the maintenance of the math. By common consent the proceedings of that Committee

were brought on the record. Although there is indication that accounts were maintained, there is nothing to show from those proceedings that the mahant was at any time in needy circumstances or was justified in making alienations of math property.

There is mass of oral evidence directed to the math's pecuniary position although a large part of it is all hearsay. It serves to give an indication of the extent of the math's income and its expenditure. The expenditure was regulated according to the evidence of the witnesses upon the capacity of the math to distribute sums in charity to subordinate maths. Any sensible mahadhipathi would not be disposed to be generous at the cost of the math and its properties. But if he indulged in excesses or incurred debts for making charity, the alienation for that purpose could not certainly be defended.

It had been pointed out that perhaps the rents of the leases were realised to defray the cost of repairs to another math namely Uli math. There is evidence afforded by the Committee's proceedings to show that the disbursements were made for its repairs, and having regard to the object with which the committee was appointed, it does not seem reasonable to assume that that Committee would encourage the math to grant perpetual leases for that purpose. It is not indicated anywhere that the means available to the committee were not sufficient to defray the expenses of the repairs. There is

no reason whatever to [illegible] the present [illegible] conditions [illegible] suppose the [illegible] of 1967. [illegible] ordinary accounts should [illegible] preserved for [illegible] long time cannot be [illegible], and it is [illegible] to the [illegible] to [illegible] the period [illegible] purchase [illegible] were not available, there were however other sources of information [illegible] which the Court could [illegible] ascertain the [illegible] income of the [illegible] no [illegible] [illegible] ([illegible]), but they [illegible] themselves [illegible] the [illegible] of that information. In my view of the [illegible], I think the [illegible] of [illegible] could not properly be [illegible] in the case. I [illegible] therefore, that there is no justification for the [illegible] that the [illegible] alienation by [illegible] [illegible] or unavoidable necessity.

It is unnecessary for me to refer to the other points [illegible] which have been sufficiently and fully dealt with by learned [illegible]. I would therefore be content with saying that I agree with the conclusion reached by [illegible].

Per Curiam -- It appears from the record that the parties were allowed to preserve evidence of the [illegible] of the value of the buildings erected on the land. Without more definite evidence on that point it will be difficult to decide what equities, if any, arise in favour of the [illegible] contesting the relief to be granted to the

to the plaintiff. We therefore send them the following issues:-

(1) What is the depreciation in value of the buildings erected on the lands in suits Nos. 73, 76 and 80 ?.

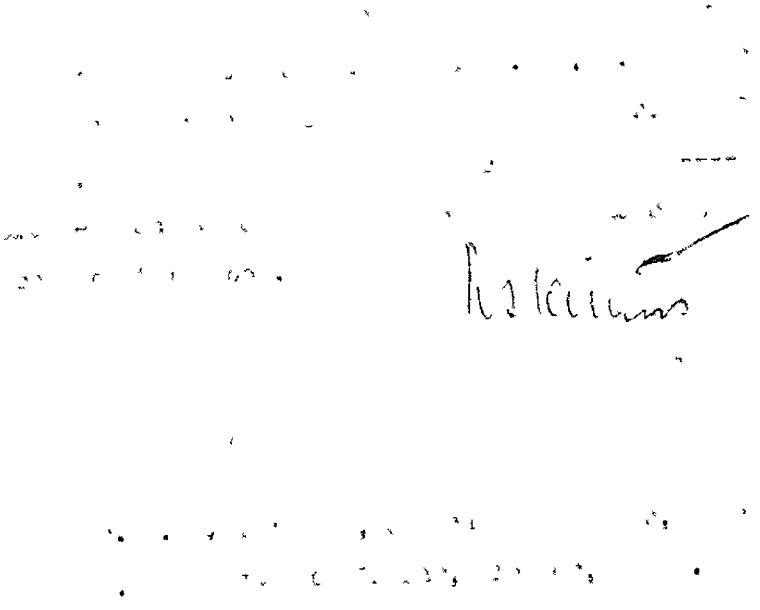
(2) When were they erected ?.

both sides to be allowed to produce evidence. Findings to be returned within two months of the receipt of the record.

By order of the Court,

(Signed) ..?. ?..

Acting Registrar.



ಧಾರವಾಡ
ಡಿಸ್ಟ್ರಿಕ್ಟ್

मा. ची. जावकनंबर ५०

धारवाड जिल्हा आकटिंग माजिस्ट्रेट मेहरबान

ई. पी. रावर्टसन् साहेब याज कडून.

तालुक्यानि हाय पाटील कुलकर्णी वगैरे तमाम लोकांत कळविण्यांत येतेकीं हुबळी मूरुसावीर मठाचे लिंगायत स्वामी गुरुसिद्धस्वामी यांनीं धारवाड बेळगांव जिल्हांत व कलादगी सोलापूर वगैरे कडे संचारार्थ जाणार त्याजबरोबरील सरंजाम—

२०	सेवाकरी लोक	६	हत्यार व बंदूकवाले
२	छत्री धरणार	१२	भोई इसम
१	अफ्तागिरी धरणार	२	लिहिणार लोक
२	रुप्याची कांठीवाले	२	सोन्याची चौरीवाले
२	सोनेची कांठीवाले	२	रुप्याची चौरीवाले
४	रुप्य ची सोटेवाले	२	मशालाची इसम
१०	घोड्याची स्वारलोक	४	गाडीवाले इसम
६	मोतदार	१	भीस्ती
३	सारवान लोक	२	हत्ती
६	माहात	३	उंट
२	कर्नी व सिंगवाले	१	मेना
८	बैलाच्या सिपाया	१४	घोडे
८	गाड्याची बैल	२	लादण्याचे बैल

येणें प्रमाणें सरंजामनिसि संचार करुन परत येतील तर त्यांस कोणी हरकत करुनये. ही रहदारी आज पासन ८ आठ महिने मदती पर्यंत चालेल ता. १ अगटंबर १८८० इसवी.

श्रीनीवास अण्णाजी
चिटनीस

Eph N. Robertson
अगटिंग माजिस्ट्रेट जिल्हा धारवाड.

154

Ex. Lc.13/4.

I was examined under Sec. 164 before the S.P.C Athani. I came to know I was to proceed ? and 3 hold an Enquiry in this case. I came to know that Bayappa was living 4 or 5 cubits away with a stick in his hand.

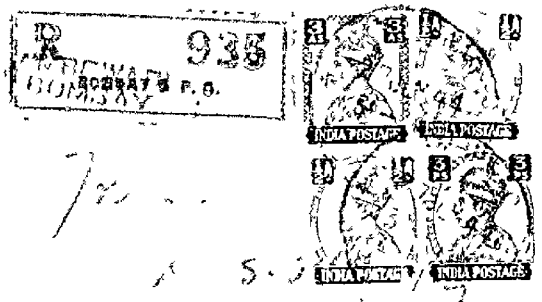
I do not know what I am giving evidence at regarding the death of Bayappa Patil.

Reexamination : Nil

W.R.C. & A.C.

20-1-42 Sd. A. G. Wells.

Sess. Judge.



Regd. Book-Post

To.

Basangouda M. Patil (Yatnal)

Kanbargi

Jatad. Sangli Dist.

Gadag

To,

The Collector,

[illegible] District.

Respected Sir,

We, the undersigned, inhabitants of the village of [illegible] Kalan, in the Mukerrah Taluka, of Gulbarga District, [illegible] respectfully beg to submit the following lines for your honour's kind consideration and favourable disposal.

Rumour has been spread that there was a cross-carnival procession held in our village in honour of [illegible] Grand of Mukerrah, with the insignia of "panch-kalse" attached to the carnival.

We beg most humbly to bring to your honour's kind notice that this rumour is entirely false, [illegible] it has also been advertised so in the "Karnatic Times" of the 7th July 1913.

The above-mentioned Grand being the resident of Shreeman Narayan Jagannath Tondaiye Ghorpade, of [illegible] has no mind to be carried in a cross carnival, with the insignia of the "panch-kalse", according to the order of the District Magistrate of Gulbarga, of the 8th August 1913.

The same order was not brought into force by the Judicial Department, Bombay, on the 15th September 1913, when the said insignia applied for [illegible] the order of the District Magistrate of Gulbarga.

This being the case, a false rumour has been spread and a false advertisement also introduced in the "Karnatic Times", most probably to create a false evidence that a cross carnival with the insignia of the "panch-kalse" are actually held, in honour of the said Grandsami of Mukerrah.

No such procession as ever held in honour of the se
nens ent a' Ilunaeral, in our villages.

e therefore request your honour most humbly and -
respectfull to take steps, such as may seem proper to your
honour, against the persons interested, to h caused such
false advertisement to be inserted in the "Kannada Mitra"
and f'lse rumour spread.

'e h' e the honour to remain,

Respected Sir,

your honour' most obedient servants,

W. M [illegible] J.,

and

[illegible].

July 19[illegible].

P.S. Also kindly see Bombay
High Court esolution
of 11-8-19[illegible].

[illegible]

[illegible]

తారీఖు ౧౪-౨-[illegible]

[illegible]

157

Civil Courts.
Exemption from personal appearance in—of Shriman Niranjan Jagadguru **Gangadhar Swami** of Hubli.

No. 6664.

JUDICIAL DEPARTMENT.

Bombay Castle, 20th December 1905

Memorandum from the Commissioner, S. D., No. P.—1896, dated the 30th November 1905—Forwarding a letter No. 7895, dated the 24th November 1905, to his address, from the Collector and District Magistrate of Dhárwár, who submits with his recommendation an application from some members of the Lingayat Community praying for exemption from personal appearance in Civil Courts of Shriman Niranjan Jagadguru Jayadeva Murtiga Rajendra Swami of Sansthan Math, Chitaldurg in Mysore, and Shriman Niranjan Jagadguru **Gangadhar Swami** of Hubli; recommending that, for the reasons given, those swamis may be exempted from personal appearance in Civil Courts. Making remarks.

RESOLUTION.—The exemption from personal appearance in Civil Courts of Shriman Niranjan Jagadguru **Gangadhar Swami** of Hubli is sanctioned. As the swami of Chitaldurg resides in Mysore territory Government do not think it necessary or desirable to make any order in his case. The following notification should be published in the *Bombay Government Gazette*:—

"Under the provisions of Section 641 of the Code Civil Procedure, His Excellency the Governor in Council is pleased to exempt Shriman Niranjan Jagadguru **Gangadhar Swami** of Hubli from personal appearance in Civil Courts."

2 The High Court should be informed as required by Section 641 of the Code of Civil Procedure.

(Signed) P. W. MONIE
Under Secretary to Government

To

The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay,
The Prothonotary and Registrar of His Majesty's High Court of Judicature, Original Side, Bombay,
The Commissioner, S. D.,
} By letter.
The Collector and District Magistrate of Dhárwár,
All District Judges (excluding those in Sind).

Jud 1307

No. 607 of 1906 25-1-1906

Copy forwarded for information to Shriman Niranjan Jagadguru **Gangadhar Swami** of Hubli

H. B. Jambhekar.
Head Clerk
For Collector of Dharwar

159

To,
The Magistrate, and Mamaltdar,
Taluka, R O N.

Sir, I Sree Jagadguru Totadarya swami, Dombal Sanstan math, Gadag, respectfully beg to state that, I have sold the Hunasi trees in my Ren, Surye No. ( ) to Mr, V.C.Basarigidad, of Gadag, as they are of no use by keeping alive in the field (being old) . Now, I request your honours permission to Mr, V.C.Basarigidad, for cutting all them and removel from the field.

Further I beg to state that, the land covered by the above trees are going barrend and of no use for cultivation . Hence, the permission is neede d urgently.

GADAG.
17th August 41.

Beg to remain.,
Sir,

Yours faithfully.

Copy, to Mr, V.C.Basarigidad, Gadag, for information.

162 A

Copy applied for on 19th September 1912

Copy prepared on 1st October 1912

Copy sent by post on 4th October 1912

D. R. Mobedji.

For Commissioner S. D.

No. P of 1910
415

15th May 1910

Order on the petition of the followers of Shri Niranjan Jagadguru.

Shriman Niranjan Jagadguru Tontad Swami Sansthan Moth Lambat — Gadag has been permitted to pass in cross palanquin with the Panchkalas and other insignia of his office as Spiritual Guru of the Lingayet community in all places within the Southern Division. All Collectors and District Magistrates are requested to see that the exercise of the said right by the said Swami is not interfered with by any body.

sd/. M. C. Gibb

Commissioner, S. D.

Copied by B. Yadwad.

Compared by K. N. B.

True copy.

D. R. Mobedji.

For Commissioner S. D.

Commissioner
Southern Division.

G. S. P. P

161

Shrimanmaharaja Niranjana Jagadguru

Jontada Mahaswamigal.

Sansthan Math Dambal & Gadag.

7 - 4 1917

162

Copy applied for by Andani Mari Guru Totadswami of Dumbal on 27th November 1910

It was ready for delivery on 13th December 1910

It was delivered over on 13th December 1910

No of words	Copying fee	Comparing fee	Total
157	0 - 3 - 6	0 - 1 - 0	0 - 4 - 6

H. B. Jambhekar

For District Magistrate Dharwar

Copy of Order No.8230 dated 20th December 1906 from the District Magistrate Dharwar.

Order under section 44 of the District Police Act.

One of the Spiritual heads of the Lingayat community viz. Shri Jagadguru Totadswami Sansthan Math Dumbal and Gadag intends visiting several Talukas of this District with his retinue. No persons of other communities have any right to interfere with the processions and other ceremonials with which the followers of the Swami will receive him. The question of the right of the Swami to be carried in a palanquin crosswise was decided some time ago by the District Magistrate

I therefore order under section 44 of the District Police Act that the cross Paliki procession with the usual attendant ceremonies be permitted and shall request the District Superintendent of Police Dharwar to make the necessary arrangements to prevent the breach of the peace on the occasions when the processions take place

sd/. C. Hudson,

District Magistrate

Dharwar.

True copy.

sd/.

For District Magistrate Dharwar.

Magistrate of the
District of Dharwar.

G. S. ...

163

Copy of the letter No 760 dated. 4th December 1956, from the Collector(Endowments), Raichur Dist addressed to the Tahsildar Yelberga Taluq:-

Subj:- Mismanagement of Shri.Todad Swamy Math at Rajur village of Yelberga Tlq.

Ref:- your letter no 874/20/5 dt. 7.11.56.

Sir,

With reference to the above subject, I am directed to inform you that the land under question be taken under Government supervision until further orders, since the present Inamdar Shri.Todad Swamy has failed to construct the M th and attend to the duties assigned to him.

S d / -

for Collector.

' True Copy '.

Revenue Supdt.

Yamer.
21/6/57.

IN THE XXXX COURT OF THE DEPUTY COMMISSIONER AT [illegible], R A I C H U R.

Hyderabad Inam Appeal No. of 57

APPELLANT

Potadaswamy by Patwari-cum, Andoorga Koreppa Nivasi - now by, Occ- agriculture of Mallipadi Taluka Under, Dist Dharwar.

V/S-XXX

RESPONDENT

Sangayya son of [illegible] a Lukka of Kajur Taluka Yelburga Dist- Raichur.

Sub: Mismanagement of the Math at Kajur Taluka - Y e l b u r g a.

In this the appellant mentioned below aggrieved by the order of the Additional Collector - District Raichur passed on 15-5-57 in File No.37 of 1955-56 hereby appeals against the same and sets forth the following grounds of objection to the same.

(1) The order of the learned Additional Collector is contrary to law and facts in the case.

(2) The learned Collector has jumped to hasty conclusion on flimsy grounds without proper enquiry.

(3) The lower court ought to have called for the record such as Takte Virasat and Muntakhab, regarding the land under question from the Tehsil office along with Tehsildar's report.

(4) The learned Collector is wrong not to see by even to consider the report of the Tehsildar that the present petition under question is filed due to party spirit and the truth will fell down only in recent years etc.,

(5) The learned Collector has failed to see that there is already Takte Virasat and muntakhab in favour of the appellant and this takhte virasat is on record in the file.

(6) The learned Collector would have seen that if he had called for the relevant record:-

(a) That Basayya father of the respondent had started enquiry case against the predecessor of the appellant alleging that he was a Kaomuwalidar of the said land and the same enquiry was decided against them on27-9-1311 Fasli. The certified copy of the relevant order is produced along with.

(b) That after a succession enquiry Takhte Virasat and Muntakhab were

granted in favour of the appellant's predecessor in 1319 Fasli as regards the land under question and also many other lands.

(c) That in the land was originally R.S.No. 42 and now it is 45.

(d) That the pahni for the years 1706 Fasli to 1710 Fasli. The Khatwar of 1714 Fasli and the Jamabandi file of 1319 Fasli and also the Pakithe Virasat in favour of Bhiddayya were shown so due to wrong understanding i.e. Galabi (Vide report statement of the then Patwari of Lajur who made all those entries and the certified copy of which is attached herewith)

(e) That the succession enquiry ended in the year 1319 Fasli and Nagayya father of the respondent entered into an agreement in 1325 fasali and as such mis observation rather suspicion as regards the agreement is baseless.

(f) That Nagayya father of the respondent has himself given a statement on 27-9-1311 fasali that the predecessor of the present appellant was the rightful Inamdar and after the years he has entered into an agreement of lease.

(g) That the Nazim has finally passed an-

an order on 27-9-1511 Smt Bangya has no right to the from.

7. The learned Additional Collecto ought to have seen that the jurisdiction vested in Ayut court before taking action under Endowment Section.

8. The learned Collector is wrong to order possession to be taken by Government without previous sanction of the Government as per rules framed, under the Hyderabad Endowment's Regulation.

9. The learned Addl. Collector has acted illegally without any evidence.

10. The learned Addll Collector has failed to see that the appellant is not in possession against Govt order, but because of Gov' orders.

11. The learned Collector had no jurisdiction to try this case but the Asst.Collector at Koppal had jurisdiction - Hence this order is illegal, null and void.

12. The appeal is intime.

For the above among other grounds to be urged at the time of hearing it is prayed that the order of the Additional collector passed on 15-5-57 be set aside and appellant

appellant be declared the rightful

[illegible] to the land under [illegible].

Bangalore.

[illegible]
13-8-1958

[illegible]
SIGNATURE OF APPELLANT

Enclosures:-

1.	Order of the Addl.Collector	15-5-57
2.	Statement and report of the Tahsildar.	27-9-1321 Fasli
3.	Statement of Basayya	-do-
4.	Order of Kasim	-do-
5.	Pakhte Vibaut.	1319 Fasli
6.	Pakhte Vibaut.	1334 "
7.	Patrukhyavanna in favour of Andanappa	

Address of the Advocate.

M.S.Nargund, B.Sc.(Hons)LL.B.,
Advocate, P-40
IV Main Road Gandhinagar
B a n g a l o r e -9.

[illegible]

In the [illegible] court [illegible]

Appellant [illegible] Appeal No. 57

[illegible] Petitioner

vs

[illegible] Respondent

I, [illegible] aged 56 years, [illegible] hereby state on oath solemn affirmation and say that:-

(1) I have filed an appeal in the above said number against the order of the Addl-Collector Raichur whereby he has ordered the suit land and suit to be taken possession of by the Government and succession enquiry to start.

(2) [illegible] other grounds that are urged in the accompanying appeal memo two main grounds are that the additional Collector had no jurisdiction, but the Assistant Collector at Koppal had jurisdiction and also that order of taking possession cannot be passed without previous sanction of the Government as per rules of

of under Hyderabad Abolition Regulation.

(7) I am likely to succeed in the appeal and I will suffer irreparable loss if the stay is not granted. As my learned friend Collector himself has stayed his present order until 15-6-1957.

Hence it is humbly prayed that the execution of the order under appeal may please be stayed pending this appeal.

Hyderabad.
15-6-1957

Identified by

Advocate's Clerk.

167

143 : 4.

2 The learned Collector has jumped to hasty conclusions on flimsy grounds with proper enquiry.

3 The lower Court ought-to have called for the record as well as perused & considered the land under question and the Judgment with Mahazarnama Report

4 The learned Collector is wrong not to see may even to consider the report of the Surveyor that the present petition under question is filed due to purely spirit & the bank would fall down only in heavy rain etc

5th The learned collector ought to have called for the Settlement Record & could have seen that previous enquiry has failed to see that there already Sale Deed Mentakhab in favour of Sister the appellant. & the Taluk Surveyor is on record in the

6 The Learned Collector would
have seen that in the Lucknow
Collectorate in the Land Record
(D) Office in regard to the
case stated by the petitioner
in appeal like proceedings
the Board were called upon
to give an Examination of
the case of Bajnath Ram
in 27 7 1311 Fasli. The
petitioner appeal to the Revenue
Board as mentioned above

X (de) That the
enquiry Deputy Collector
Mumtahan came from
with the respondents
Inside room in 1319 Fasli
in regard to the land
under question and no enquiry
other hands

(e) That the land is in
- Ley No 12 & No 42
45.

(el) That the Khani for the
years 1306 Fasli to 1310 Fasli
The Khewat of 1314 Fasli.
& The Jamabandi file of 1319
Fasli & other Land

Whereas in terms of Thiruvaya
Order dated Thanam Do Case to
Arbitrary, understanding the facts
made before, statement of the Patawar
Rajan who made all these enquiries
& the certified copy of which is
attached herewith)

e) That the aforesaid Enquiry
held in the year 1819 both
the Karanavar Sathia of the res.
Counsel did not raise any objection
in 1325 Jasak and only much has
observation rather suspicion
as regards the genuineness of
the said

f) That Basavya Sathia of the
Resp has himself given a
statement in #3 on 27-9-1311 Jasak
that the predecessor of the
present appellant was the
rightful Inamdar and enjoyed
the years he has entered into
an agreement of Lease

g) That the Rajim has finally
passed an order on 27-9-1311
that Basavya
has no right to the Inam

7 The learned Additional Collector
ought to have seen that
the jurisdiction vested in Adiyal Court

before taking action under Endowment section

6. The learned Collector is wrong to order possession to be taken without possession by Government on application of the Govt as per Rules framed under the Hyderabad Endowments Regulation

7 The learned Additional Collector has acted illegally without any evidence.

10 The learned Additional Collector has failed to see that the appellant is not in possession against Govt orders because of Govt orders

11 The learned Collector had no jurisdiction to try Nuisance case. The appeal is in time

Govt Collector attempted to have jurisdiction Hence the order is illegal and void.

For the above among other grounds to be urged at the time of hearing. It is prayed that the order of the Additional Collector passed on 15.5.57 be set aside and the appellant declared

The Registrar Secretary to the Central
Union Government.

Bangalore

13-6-57.

Registrar / Presidency
Corp

Advocate

Enclosures. —

1 Order of the Additional Collector 15-5-57
2 Statement Report of Mr Patwari 27-
3 Statement of Basappa 27-9-131
4 Order of Nazir 27-9-131
5 Jakhte Vasool 13117.
6 Jakhte Vasool 13347
7. Vakalathnama signed in duplicate
8. order

Address of the Advocate

M. S. Nagaraj, B Sc. (Hons) LL. B,
Advocate
7.40. IV Main Road Gandhinagar
Bangalore 9.

In the County Land Director's
Court
Land Case No. ____
Between
Appellant
and
Respondent

In the matter of the estate of the late
Kulupa Kwadwo Ayeh of Nkwanta
Gwadi Kalaa Tindog
Wadumkpegu in the Nanumba District
of Northern Region
Do solemnly and sincerely affirm and
state on solemn affirmation as
follows that

1. I have filed an appeal in the above named matter against the decision of the Asst. District Commissioner Nakpanduri wherein he has declared the said land to be vested in and by the Government of Ghana to store

2. That I other grounds that are urged in the accompanying appeal memorandum for the said appeal are that the Asst. District Commissioner had no

Jurisdiction to hear Court-fee Assistant Collector at Koppal had jurisdiction to pass order of taking possession under Land Grants Act (previous sanction) Land Grants Act Rules if under Any Act Land Encumbrances Regulations

I am likely to succeed in the appeal & will suffer irreparable loss if the order is executed the learned Additional Collector Limited the stay granted by Executive (applied 15-6-57)

Hence it is humbly prayed that execution of the order under appeal may please be stayed pending the appeal

Bangalore
13-6-57.

ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೆ ಮತ್ತು ಸದಸ್ಯರೆ

ಇಂದು ಮಂಡಿಸಿರುವ ಬಜೆಟ್ ಬಗ್ಗೆ ನನ್ನ ಅಭಿಪ್ರಾಯಗಳನ್ನು ಸಂಕ್ಷಿಪ್ತವಾಗಿ ಹೇಳಲು ಇಚ್ಛಿಸುತ್ತೇನೆ. ಈ ಬಜೆಟ್ ಅನ್ನು ಸಿದ್ಧಪಡಿಸಿರುವ ಹಣಕಾಸು ಅಧಿಕಾರಿಗಳಿಗೆ ಮತ್ತು ಸಿಬ್ಬಂದಿಗಳಿಗೆ ನನ್ನ ಅಭಿನಂದನೆಗಳು. ಈ ಬಜೆಟ್ ಅನ್ನು ಸಿದ್ಧಪಡಿಸುವಾಗ ಸಾಕಷ್ಟು ಶ್ರಮವಹಿಸಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಆದರೆ ಈ ಬಜೆಟ್ ಅನ್ನು ಸಿದ್ಧಪಡಿಸುವಾಗ ಕೆಲವು ಅಂಶಗಳನ್ನು ಗಮನಿಸಿದಂತೆ ಕಂಡುಬರುವುದಿಲ್ಲ. ಅವುಗಳನ್ನು ಈ ಕೆಳಗಿನಂತೆ ಪಟ್ಟಿಮಾಡಿದ್ದೇನೆ.

1) ಕಳೆದ ಬಜೆಟ್‌ನಲ್ಲಿ ಘೋಷಿಸಿದ್ದ ಯೋಜನೆಗಳಲ್ಲಿ ಎಷ್ಟು ಅನುಷ್ಠಾನಗೊಂಡಿವೆ ಎಷ್ಟು ಬಾಕಿ ಉಳಿದಿವೆ ಎಂಬ ಮಾಹಿತಿ ಇಲ್ಲ.

2) ಬಜೆಟ್ ಗಾತ್ರದಲ್ಲಿ ಎಷ್ಟು ಹೆಚ್ಚಳವಾಗಿದೆ ಎಂಬ ಮಾಹಿತಿ ಇಲ್ಲ.

3) ಈ ಯೋಜನೆಗಳಿಗೆ ಹಣವನ್ನು ಎಲ್ಲಿಂದ ಕ್ರೋಢೀಕರಿಸಲಾಗುತ್ತದೆ ಎಂಬ ಮಾಹಿತಿ ಇಲ್ಲ.

ಸಾಕ್ಷಿ

[illegible]

169

GOVERNMENT OF [illegible]

Office of the
Taluq[illegible] Yelburga;
Dated: Feb: 19[illegible]

NO:/7447/B6/58-60/

Notice.

To

Sri. T[illegible]da Swami,
Yelbu[illegible].

Sub: Mismanagement of Hadda Swami Math at Kolur.

...

It is observed during the inspection of Endowment Asst. Raichur that you have effected any improvement to the Math nor any funding arrangements made for the purposes which is their object of worship. Hence you are requested to make necessary arrangements within a fortnight and send a compliance report positively.

Rajkumar
for Tahsildar Yelburga. 19/2/60

Rtp/-

No. 1795/36/57-67

Dated 12-11-57

[illegible]

[illegible]

[illegible]

Translation of the copy of the endorsement of the Office of the Taluqdar(Collector),Dist Koppal dt. 27th Amardad 1311 Fasli.

No. 4 1/179 1311 Fasli.

Regarding:- Inam Enquiry relating to Totad Swamy,Dambal,Tlq Gadaga,Inamdar of Kuknoor and Sarganhal,Taluk Yelberga.

27th Amardad 1311 Fasli.

The case was put up for hearing,today. The petitioner was present in the Court,and his deposition was recorded and filed. It is evident from the statement that this Inam land belongs to Totad Swamy, resident of Gadaga,and the applicant,Basayya is employed as a servant to look after the math of the village and to give amenities to travellers. it has also been deposed that
Therefore,the petitioner has no concern with the Inam land. There is maintained a separate file dealing with Inam land of Totad Swamy. Hence,this may be filed therein. It is not essential to open a separate file for this purpose.

s d / - Talukdar.

(15) Copy of the recommendation of the Collector of Dist - Koppal.

Sub: Confirmation of the "Chela" of Jotadswami Gadag.

Encl: Endorsement Gadag.

File no. 2 11/3 1328 Fasli

The facts of the Case are that, on 19th Moon 34 Fasli, Jota-swami Guru Jotadswami of gadag submitted an application stating that (14) villages of the state do stand as service Inams through the 'Munitakhiba' of the file no. 4 1/12 of 29 Fasli in the name of the applicant. The applicant has fallen sick. There is no hope of survival. And the "Chela" of Guru Basaweshwar-muti Math has been declared as the successor after due preaching of the Mantras, and after performing the religious ceremonies. All the rights, the authorities, stamp and the 'Kutub' have been Transferred and handed over to the successor. It is hereby requested that the succession of Jotadswami Guru Jotadswami be confirmed. The statement of the applicant has been recorded through Commission. And the statement of the successor to has been recorded Through Commission. Both have admitted the succession. After issuing of the notice, no objection of any kind has been received. In support of succession three witnesses have been produced. As per their statements the succession is proved. The succession has taken place in a public gathering. I am of the opinion that the succession of the Inams be sanctioned as usual in the name of the successor. The file and the statements be forwarded to the Nazim of the state for confirmation. Order be given for the recovery of the Nafarana.

Sd/ by)
Sri Ahamad Ali Rajavi
Collector of the Dist

Copy of the note of information, Nizamat-e-Adl

780 Encl 18th Isban 37 Fasli

From the Under Secretary to Khalifa Atta Mohammad

Appointment of Sayed Mahmud Shah as Kotwal in Nizamat-e-Adl

I am directed to inform you that Sayed Mahmud Shah who is the holder of the service Grant, Kotwali

Qasaba Kotwal in, which is now in the Nizamat-e-Adl has been appointed as the Kotwal of the said Qasaba, and his commission is also enclosed. Your receipt of the same may be

Nizamat-e-Adl deposited. As soon as the said deposit, this office be informed of the same

the fact is forwarded to the District Kotwal.

Sd/ Illegible,

Sayed Mahmud Sayed Mahmud Shah

Under Secretary Nizamat-e-Adl

Sayed Mahmud
Abdul Hussain
Nizamat-e-Adl
State

Copy of the Statement of confirmation of the Chelgi of Sri Shadaswami Guruu Shadaswami Swamiji of Koppal and Yelburga. — 1336 Fasli

Serial No.	Name of Chelgi	+	Name of the village	Number of the Inam land	Amount of Peshkash	Remarks	Number of the date of the Muntakhab	
1	2	3	4	5	6	7	8	9
				Area in acres (guntas)	Rs. As. Ps.			
			Rannikoppa-201-	= 41 — 2	- 31 - - -			
			Ratagera-181-	= 19 - - 14	= 14 - 2 - -			
			Gayin-19	— 9 — 15	- 16 - 2 - -			
			" -201	— 10 - - 15	- 6 - 3 - -			
			Kukanur-477-	43 - 26	— 38 - - -			
			" — 2 —	3 — 11	- 1 - 3 - -			
			Basapur Inam-50- yelburga	23 - 9	— 8 - 4 - -			
			Sangankal-2-	7 - 22	- 5 - 2 - -			
			" - - 52-	41 - 14	- 42 - 8 - -			
			" - 231-	14 - 12	- 23 - - -			
			Rajur- 49-	6 — 24	— 8 - - -			
			Bedarotti-20-	16 - - 5	— 12 - - -			
			" -100-	6 — 25	- 5 - - -			
			" — 32-	2 — 37	- 3 - 8 - -			
			Masichanakinal-6-	2 - 7	- 1 - 2 - -			
			yediyapur.-6-	1 - 32	- 1 - 8 - -			
			Myageri-13-	16 - - 11	- 14 - 15 - 4			
			Hulgi Tq Koppal 22.4 —	2 — 35	- 47 - - -			
			Munirabad-170	4 - -	- 15 - - -			
			Hitnal-126-	13 — 5	— 26 - - -			
			Total	- 308 - - 11	- 339 - 5 - -			

289.

14th Safandar 1319 Fasli

Peasants claim it — as Swamiji's ... [illegible]
Sarkar Affairs Manager

Copy of the letter - ... Collectorate Distt Koppal
Dated ...

Administrative Dicto
Outward No. 138

Dated instructions 1st Aban 1338 F.
File no Kutib-1/9 1334 Fasli
" " Mutabaka- 13 Fasli

From, Mohd Ibrahim Nk Collector Distt Koppal

To, ... Distt Koppal & Dharwar Taluk

Sub: Confirmation of the 'Mahalagi' ...

Ref: ... in Dated ...

In the above ... the ... of the list of ..., copy of the ... and the copy of the ... by the Circle-Inspr. - Nilakantheswar ... with ... of the ... Agreement amount ... be ... and ... Receipt ... to ...

To

The District Magistrate,

BELLARY.

Honoured sir,

I, Thothada Lavaru, Agent with general power of attorney of Sri Jagadguru Thothadaswami of Dombal and ~~mutt~~, Gadag, beg leave to present this petition on behalf of the said Swami in the confident hope that with your wonted liberal views and large heartedness you will give the matter hereunder your just and even minded consideration and pass favourable orders thereon.

1. That it is well known to your Honour that the Lingayats who form the bulk of the population of the western taluks of this district and the neighbouring districts in the Bombay Presidency follow a sort of protestant Hindu religion which owes no allegiance Brahminism especially in respecting the Brahmin priesthood. That further your Honour is well aware that while the times are fast changing into a rapid realisation of democratic ideals the Brahmin is making a last desperate struggle to assert his socio-religious superiority and carries his dergedness even so far as to attempt to interdict the exercise of natural and civil rights by their fellow citizens the Lingayats such as in the matter of religious processions and that even under the aegis of the benign British Government whose declared policy is perfect equality of all castes and creeds.

2. That His Holiness Sree Jagatguru of Dombal Samathan of Gadag is the spiritual head of the Virasaivas and has His head Mutt at Gadag in the Presidency of Bombay and at Tambrahalli and Harpasagar in the district of Bellary. That the Swami is otherwise known as Amadi Sidhalinga Swami imparting hoary antiquity and the present head is the Eighteenth in succession to the Mutt. By his loyal services to the Government and his philanthophy and

and extensive charities the present Swami has won the favour of the Government who have often testified their appreciation of his work in return communications. There are over 500 Mutts subordinate to this Mutt in these provinces over which the Swami has superior ecclesiastical jurisdiction.

3. That this Swami has been exempted from personal appearance in the Courts (Vide Government Resolution NO. 3085 at Page 837 of the Bombay Government Gazette June 23rd 1904) That the right of the Swami to go in Cross palanquin with his several insignia has been recognised not merely by the several Civil Courts in the Bombay Presidency but also by the District Magistrate Dharwar and the Commissioner Southern Division who on an occasion of a tour by the Swami was pleased to issue to all Collectors and District Magistrates in the Bombay Presidency communications officially that they were "to see that the exercise of the said right by the said Swami is not interfered with by anybody" in 1910. Copies of these orders are herewith appended.

4. That even in the Madras Presidency and in this very district of Bellary in 1903 the Head Assistant Magistrate, Hospet after due enquiry granted permission to the Swami to go in procession in cross palanquin and the other insignia in the village of Tambarahalli, Hospet taluk, where there is a branch Mutt of the Swami. In this village of Tambarahalli there are not more than ten Brahmin houses whereas there are over 300 Lingayat Houses. Spite of this small minority the Brahmins still raised a protest against the Lingayat Swami being allowed to go in Cross palanquin and by twisting and turning the process of law to suit their purposes put impediments to the carrying out of the Lingayat procession.

5. That the usual threat that there was likely to be a breach of the peace is started by the Brahmins to

to influence the authorities to say no to any licence applied for by the Lingayats for carrying this procession. That one Vanveba Rao of Tumbarahalli is the most active of these agitators and even recently before the present Joint Magistrate, Nagar he appears to have boasted that if the Lingayat procession is allowed to take place he would cause a breach of the peace.

6. The petitioner earnestly appeals to your honour to consider whether a handful of Pradrins can be allowed security to hold out such intimidating threats and so override the lawful exercise of their natural and civil rights of freedom of the King's Highway by a numerous body of the loyal Lingayat Community. That your honour may also be pleased to consider that while the Bombay Government have been uniformally supporting the Swami in the exercise of these his time honoured privileges a few villagers of Tumbarahalli ought to be allowed to insult the Swami by their unreasonable and Vahious objections.

7. That now the Lingayat resident of Tumbarahalli and the neighbouring villagers are anxious to celebrate a festival and in that connection carry the Swami in procession in cross palenquin with his usual insignia (of course omitting these objected to by the authorities such as Vyna Mantem, chanting of Vadavu etc.,) in the ~~last~~ next month 5th and 6th October 1922 at Tumbarahalli.

8. That therefore petitioner prays that your honour may in consideration of all these circumstances take a just and generous view of this matter and grant a liscense to petitioner in Cross palenquin with his retinue and usual insignia on the 5th & 6th October 1922 for which act of favour I shall for ever pray.

To

The District Magistrate,

BELLARY.

Honoured Sir,

We the resident of Tambaraballi, Hospet taluk, beg leave to present this petition on behalf of Sri Jagadguru Thathadeswami of Dambal and Gadag in the confident hope that with your wonted liberal views and large heartedness you will give the matter hereunder your just and even minded consideration and pass favourable orders thereon.

1. That it is well known to your honour that the Lingayats who form the bulk of the population of the western taluks of this district and the neighbouring districts in the Bombay Presidency follow a sect of protestant Hindu religion which owes no allegiance Brahminism especially in recognising the Brahmin priesthood. That further your honour is well aware that while the times are fast dawning into a rapid realisation of democratic ideals the Brahmin is making a last desper te struggle to assert his sacerdotious superiority and carries his doggedness even so far as to attempt to interdict the exercise of natural and civil rights by their fellow citizens the Lingayats such as in the matter of religious processions and that even under the aegis of the benign British Government whose declared policy is perfect equality of all castes and creeds.

2. That the Holiness Sree Jagatguru of Dambal Samathan of Gadag is the spiritual head of the Lingayats and has His head Mutt at Gadag in the Presidency of Bombay and at Tambrahalli and Hampasagar in the district of Bellary. That the Swami is otherwise known as Anadi Sidhalinga Swami importing hoary antiquity and the present head is the Eighteenth in succession to the Mutt. By his loyal services to the Government and His philanthophy and

ous charities the present Swami has won the favour of the Government who have often contributed their appreciation of his work in return communications. There are over 300 Mutts subordinate to this Mutt in these provinces over which the Swami has superior ecclesiastical jurisdiction.

3. That this Swami has been exempted from personal appearance in the Courts (Vide Government Resolution No. 3015 at Page 867 of the Bombay Government Gazette June 23rd 1904) That the right of the Swami to go in Cross palanquin with his several insignia has been recognised not merely by the several Civil Courts in the Bombay Presidency but also by the District Magistrate Dharwar and the Commissioner Southern Division who on an occasion of a tour by the Swami was pleased to issue to all Collectors and District Magistrates in the Bombay Presidency communications officially that they were "to see that the exercise of the said right by the said Swami is not interfered with by anybody" in 1910. Copies of these orders are herewith enpended.

4. That even in the Madras Presidency and in this very district of Bellary in 1903 the Second Assistant Magistrate, Hospet after due enquiry granted permission to the Swami to go in procession in cross palanquin and the other insignia in the village of Tumbarahalli, Hospet taluk, where there is a branch Mutt of the Swami. In this village of Tumbarhalli there are not more than ten Brahmin houses whereas there are over 300 Lingayet Houses. Spite of this small minority the Brahmins still raised a protest against the Lingayet Swami being allowed to go in Cross palanquin and by twisting and turning the process of law to suit their purposes put impediments to the carrying out of the Lingayet procession.

5. That the usual threat that there was likely to be a breach of the peace is started by the Brahmins to

to influence the authorities to say no to any license applied for by the Lingayats for carrying this procession. That one Venkoba Rao of Tambarahalli is the most active of these agitators and even recently before the present Joint Magistrate, Hospet he appears to have boasted that if the Lingayat procession is allowed to take place he would cause a breach of the peace.

6. The petitioner earnestly appeals to your honour to consider whether a handful of Brahmins can be allowed security to hold out such intimidating threats and so overrule the lawful exercise of their natural and civil rights of freedom of the King's Highway by a numerous body of the loyal Lingayat Community. That your honour may also be pleased to consider that while the Bombay Government have been uniformally supporting the Swami in the exercise of these his time honoured privileges a few villagers of Tambarahalli ought to be allowed to insult the Swami by their unreasonable and unbecoming objections.

7. That now the Lingayat resident of Tambarahalli and the neighbouring villagers are anxious to celebrate a festival and in that connection carry the Swami in procession in cross palanquin with his usual insignia (of course omitting those objected to by the authorities such as Vyse System, chanting of Vaduvu etc.,) in the ~~xxx~~ next month 5th and 6th October 1922 at Tambarahalli.

8. That therefore petitioner prays that your honour may in consideration of all these circumstances take a just and generous view of this matter and grant a licecense to petitioner in Cross palanquin with his retinue and usual insignia on the 5th & 6th October 1922 for which act of favour I shall for ever pray.

We beg to remain,

Honoured sir,

Your most obedient servants

M. G. Ramaswamy

Hampaiya

To

The District Magistrate,

BELLARY.

Honoured sir,

We the residents of Tambaralalli, Hospet taluk, beg leave to present this petition on behalf of Sri Jagadguru Thothadaswami of Dembal and Gadag in the confident hope that with your wonted liberal views and large heartedness you will give the matter hereunder your just and even minded consideration and pass favourable orders thereon.

1. That it is well known to your honour that the Lingayats who form the bulk of the population of the western taluks of this district and the neighbouring districts in the Bombay Presidency follow a sort of ~~protestant Hindu~~ religion which owes no allegiance to Brahminism especially in recognising the Brahmin priesthood. That further your honour is well aware that while the times are fast changing into a rapid realisation of democratic ideals the Brahmin is making a last desparate struggle to assert his socioreligous superiority and carries his doggedness even so far as to attempt to interdict the exercise of natural and civil rights by their fellow citizens the Lingayats such as in the matter of religious processions and that even under the aegis of the benign British Government whose declared policy is perfect equality of all castes and creeds.

2. That His Holiness Sree Jagatguru of Dembal Samathan of Gadag is the spiritual head of the Lingayats and has His head Mutt at Gadag in the Presidency of Bombay and at Tambralalli and Hampasagar in the district of Bellary. That the Swami is otherwise known as Anadi Sidhalinga Swami imparting hoary antiquity and the present head is the Eighteenth in succession to the Mutt. By his loyal services to the Government and his philanthophy and

and extensive charities the present Swami has won the favour of the Government who have often testified their appreciation of his work in return communications. There are over 500 Mutts subordinate to this Mutt in these provinces over which the Swami has superior ecclesiastical jurisdiction.

3. That this Swami has been exempted from personal appearance in the Courts (Vide Government Resolution No. 3064 at Page 697 of the Bombay Government Gazet e June 23rd 1904) That the right of the Swami to go in Cross palanquin with his several insignia has been recognised not merely by the several Civil Courts in the Bombay Presidency but also by the District Magistrate Dharwar and the Commissioner Southern Division who on an occasion of a tour by the Swami was pleased to issue to all Collectors and District Magistrates in the Bombay Presidency communications officially that they were "to see that the exercise of the said right by the said Swami is not interfered with by anybody" in 1910. Copies of these orders are herewith appended.

4. That even in the Madras Presidency and in this very district of Bellary in 1906 the Head Assistant Magistrate, Hospet after due enquiry granted permission to the Swami to go in procession in cross palanquin and the other insignia in the village of Tambarahalli, Hospet taluk, where there is a branch Mutt of the Swami. In this village of Tambarahalli there are not more than ten Brahmin houses whereas there are over 300 Lingayet Houses. Inspite of this small minority the Brahmins still raised a protest against the Lingayet Swami being allowed to go in Cross palanquin and by twisting and turning the process of law to suit their purposes put impediments to the carrying out of the Lingayet procession.

5. That the usual threat that there was likely to be a breach of the peace is started by the Brahmins t

to influence the authorities to say no to any license applied for by the Lingayats for carrying this procession. That one Venkoba Rao of Tamberahalli is the most active of these agitators and even recently before the present Joint Magistrate, he appears to have boasted that if the Lingayat procession is allowed to take place he would cause a breach of the peace.

6. The petitioners accordingly appeal to your honour to consider whether a handful of Harijans can be allowed security to hold out such intimidating threats and so overrule the lawful exercise of their natural and civil rights of freedom of the King's Highway by a numerous body of the loyal Lingayat Community. That your honour may also be pleased to consider that while the Bombay Government have been uniformally supporting the Swami in the exercise of these his time honoured privileges a few villagers of Tamberahalli ought to be allowed to insult the Swami by their unreasonable and ~~vehement~~ objections.

7. That we the Lingayat residents of Tamberahalli and the neighbouring villagers are anxious to celebrate a festival and in that connection carry the Swami in procession in cross palanquin with his usual insignia (~~of course omitting these objects to by the authorities such as Fly Flaps, chowrie of Yaks etc.,~~) in the ~~last~~ next month 6th and 8th October 1928 at Tamberahalli.

8. That therefore petitioners pray that your honour may in consideration of all these circumstances take a just and generous view of this matter and grant a license to petitioner in Cross palanquin with his retinue and usual insignia on the 5th & 6th October 1928 for which act of favour I shall for ever pray.

We beg to remain,

Honoured sir,

Your most obedient servants

To,

The District Magistrate,

B E L L A R Y.

Honoured Sir,

I, Thota Ji Venkaiah, aged, with general power of attorney, of Sri Mahaguru Mouneswami, of Hemavathi Giddi, have to present this petition on behalf of the said Swami, in confidently hope that with your sorted liberal views and large heartedness & you will give the matter hereunder your just and wise kind consideration and pass favourable orders thereon.

1. That it is most humble to your honour that the Lingayats who form the bulk of the population of the Western Taluks of this District viz the Ballari District, in this country proud way, follow an independent Vedic religion, which does not admit any, especially in according the Brahmin priesthood. That further your humble petitioner will state that while the times are fast changing into a rapid revolution of democratic ideals, the Brahmins are making a desperate struggle to assert his world old religious superiority and claiming his dominance over so far as to attempt to introduce the exercise of natural and civil rights by their fellow citizens, the Lingayats, such as in the matter of religious processions and that even under the aegis of the benign British Government whose declared policy is perfect equality of all castes and creeds.

2. That his holiness the Jagadguru, of Hemavathi Swamiji, of Giddi, in the spiritual seat of the Lingayats and his mutt held with at Giddi, in the Presidency of Bombay, viz at Kamarahalli and Hampasagar in the District of Bellary. That the swami is

otherwise

otherwise than as [illegible] Swami, [illegible] heavy [illegible]-quity and the present [illegible] is his [illegible] [illegible] the Math. By his loyal services to the Government and his philan-thropy and extensive charities the present Swami has had the favour of the Government, who have often testified their appre-ciation of his [illegible] written ~~[illegible]~~ contributions. There are over ~~[illegible]~~ 500 Mutts subordinate to this Mutt in these provinces over ~~xxx~~ which this Swami has superior ~~[illegible]~~ ecclesiastical and juris-diction.

Exempted?

3. That the Swami is [illegible] ~~exempted~~ from personal appear-ance in the Courts (vide Government Resolution No. 3085 at ~~xx~~ page 837 of the Bombay Government Gazette, June 23rd, 1904). That the right of the Swami to go in cross palanquin with his several insignia has been recognised, not merely by the several Civil Courts in the Bombay Presidency but also by the District Magistrate, Dharwar, and the Commissioner, Southern Division, who on the petition of [illegible] by the Swami, was pleased to iss-ue to all Collectors and District Magistrates in the Bombay Presidency [illegible], officially, that they were "to see ~~[illegible]~~ that the exercise of the [illegible] rights by the said Swami is not interfered with by anybody", in 1910. Copies of these orders - are herewith appended.

4. That even in the Madras Presidency and in this very Dis-trict of Bellary, in 1903, the Head Assistant Magistrate, - - Hospet, after a due inquiry, granted permission to the Swami to go in procession in cross palanquin and the other insignia in the village of [illegible], Hospet Taluka, where there is a branch Math of this Swami. In this village of [illegible] ~~xx~~ there are not more than 10 Brahmin houses, whereas there are over 300 Lingayat houses. In spite of this small minority the Brahmins still raised a protest against the Lingayat Swami - being allowed to go in cross palanquin and by twisting and - - turning the process of law to suit their purposes put impedi-ments to the carrying out of the Lingayat procession.

5. That the usual pretext that there was likely to be a ~~xx~~ a breach of the peace is started by the Brahmins to influence the authorities to say no to any license applied for by the - Lingayats for carrying this procession. That one, Venkobarao,

of Pamarthilla, [illegible] of which [illegible]
[illegible] before [illegible], [illegible], [illegible]
-ware to have brought [illegible] the Loyalty organisation is [illegible]
to take place [illegible] a session of peace

6. The petitioners [illegible] your honour to con-
-sider whether a [illegible] should be placed [illegible] Seewaly
to hold and such [illegible] and so override and [illegible]
-ful exercise of their powers and civil rights of freedom of
the King's Majesty by [illegible] body of the Loyal Loyalty -
Juncunity. Then [illegible] be placed to consider
whether [illegible] the Loyalty organisation have [illegible] appoint-
-ing the Court in the event of those six [illegible] privi-
-leges, a few villages of Pamarthilla might be [illegible]
to include the Court by their reasonable signatures.

7. That for the majority of Pamarthilla and the
[illegible] villages to celebrate a festival and
[illegible] connection with the Court is proved in every pla-
-ces, with the usual insignia, such as Parankilas, white
umbrella &c., in the first month J.C., on the 30th. and 31st.
October 1933, in Pamarthilla.

8. This petitioners petitioners pray that your honour may in
consideration of all these circumstances take a just and gene-
-rous view of this matter and grant a license to continue to
carry the Court in procession, with its insignia and usual
insignia, on the 30th. & 31st. October 1933, in Pamarthilla,
For which act of favour I shall for ever pray.

G A D A G.

Dated 1933.

Agent, Sri Thothad Rami , Gadag.

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To,

His Excellency the Governor in Council,

Bombay Presidency,

Bombay.

Sir,

The undersigned Memorialists beg to submit as follows :-

The present incumbent of Shree Jagadguru - Tontad Swami Math, Dambal & Gadag, District Dharwar, Shreeman Niranjan Jagadguru Tontad Siddhalingarya - Mahaswamigalavaru Guru Anadi Tontad Shiddhalingarya Mahaswamigalavaru Saunsthan Math Dambal & Gadag is - the High Priest of the Lingayat Community. He has a large following.

The Memorialists submit that having regard to the high position and rank of the said Swamiji, - the Government be pleased to extend to him the --- privilege of exemption from personal appearance in - Civil Courts under Sec. 133 of the Civil Procedure - Code. The same privilege was extended to the predeces -sor in title of the present Swamiji by Government - Notification No. 3375 dated 14th April 1923. The -- present Swamiji has been appointed to the Peetha on - _____, by the late Swamiji.

For this act of justice & kindness, the - Memorialists shall, as in duty bound, ever remain,

Gadag. / /1929.

the most obedient servants

of

Your Excellency,

ಕೆಲ್ಲಿ ಗರಡಿಗಳು ಅಂತ ಕೇಳ್ಪಟ್ಟಿನೆ. ಆ ಪ್ರದೇಶದಲ್ಲಿ ಬಗ್ಗೆ ಹೆಚ್ಚಿನವರಲ್ಲಿ ಅವರ್ಗಳಿಂ ನಾನು ಮುದಕ ಪುರಸ್ತಿ ಎಂದರೆ ಕೆಲವು ಹುಡುಗರಿಗೆ ಹೇಳಿಕೊಡುತ್ತಾರೆ. ಭಕ್ತಿಶ್ರದ್ಧೆಗಳಿಂದ ಅಷ್ಟೇ ವಂದಿಸಿ.

ಧರ್ಮೇಂದ್ರ ಕುಮಾರ

16

To,

His Excellency the Governor in Council,

Bombay Presidency,

Bombay.

Sir,

The undersigned Memorialists beg to submit as follows :-

The present incumbent of Shree Jagadguru - Tontad Swami Math, Dambal & Gadag, District Dharwar, Shreeman Niranjan Jagadguru Tontad Shiddhalingarya - Mahaswamigalavaru Guru Anadi Tontad Shiddhalingarya Mahaswamigalavaru Saunsthan Math Dambal & Gadag is - the High Priest of the Lingayat Community. He has a large following.

The Memorialists submit that having regard to the high position and rank of the said Swamiji, - the Government be pleased to extend to him the --- privilege of exemption from personal appearance in - Civil Courts under Sec. 133 of the Civil Procedure - Code. The same privilege was extended to the predeces -sor in title of the present Swamiji by Government - Notification No. 2375 dated 14th April 1923. The -- present Swamiji has been appointed to the Peetha on - _____, by the late Swamiji.

For this act of justice & kindness, the - Memorialists shall, as in duty bound, ever remain,

Gadag.
/ /1929.

the most obedient servants
of
Your Excellency,

Vice President

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]
8586 17-11 23/-
[illegible]

[illegible] 26-7-1912 [illegible]

[illegible] 17-7-1912

[illegible]

[illegible]

(5)

From

Siri Lokad Swami

Gadag

To

Mr. C. Cobb Esqr.

Collector & Dist Magte

Dharwar-

Camp Mundargi

dated 25th January 1870

Sir,

With reference to your letter No 140 d. 15th Inst I beg to state that I received the above reference ~~dtd~~ asking me to take the charge of a boy named Karim while I was at Dumbal as my camp was not at Gadag. Therefore I was unable to give an early reply. In the meanwhile I received your subsequent letter No 305 d. 15th instant informing me that the boy

boy was handed over to
Reverand F. Rensch.

However I am very glad
to hear that the boy was
handed over to proper car

I have the honour to be
Sir

182

[illegible]

[illegible]

[illegible]

of the boy.

I have the honour to be,

Sir,

Your most obdt. servant,

Dist. Magistrate, Dharwar.

183

To

The Honourable ... M. G. ... Esq., ...
... C.S ... Secretary to ... Government
...

... the Petitioners of the following
... Petition ...
... violated ... Sir, ... the ...
... Petitioners.

Respectfully Sheweth,

1. That the Petitioners are followers of ... and ... Satanic ...
... and that the ... generally ... Friday ... of March.

2. That ... Petitioners ... and ... attend ... Temple ... Bay ... Bungalows, Kanara ... Hollers ... Districts in the Southern Division ... also in all ... within the Native States with ... accompanied by ... from ... following ... Petitioners.

3. That ... Petitioners ... in procession with the Panch Nalav and other insignia of the high office he holds as the ... Spiritual head of the Lingayet Community, ... Petitioners

it has already been recommended by you Honour's Collectors of this District, you were also moved ago for and on the official correspondence exemption from personal appearance in Civil Courts Upon receipt of Resolution No. 2056 dated 10th June 1904 I have the honour to forward the petitioners further prayer.

2. That while on tour he has necessarily to take with him all his paraphernalia of his office including his gold ornaments, carriages, Camels &c with a number of servants &c which he finds necessary and that on occasion of tour in Sind, all the Hindu officers,

5. That during the journey they have to pass through toll gates and ferries in the several District of your Division.

6. That toll on a ferry is exempted under Rule No 4 section 5 of the Boundary Act III of 1875 tolls levied under Rule No 4 Section III of Boundary Act II of 1884 and 1885, to be remitted in case of natives of distinction whom your Honour may be pleased to consider fit for such exemption.

7. That therefore they most humbly and respectfully pray that your may be graciously pleased to confer upon Shrimat Niranjan Jagad-Guru Jagat Guru in such exemption and privileges and to issue orders to all the District and Talukas officers in the southern Division and to the Native State within your jurisdiction the Shri Swamiji may not be interfered with while carrying arms &c with him & his cross palanquin with his Panch-Kalas and insignias during his tours and to order them to render the Shri Swamiji every possible assistance required of them for maintaining the dignity of his high office during such tour.

For which act of kindness and mercy they shall ever remain grateful.

We beg to remain
Respected Sir,
Your most obedient servants
Sd/ Purnafa Rao
Sd/ V.V. Phandi
and others

Copied by
S. Mukerji.

"True Copy"

Compared
Translation

Jt. Commissioner, S.D.

COMMISSIONER
कमिश्नर साहेब
SOUTHERN DIVISION

To

The collector and district magistrate

of Dharwar.

From:

Shrimanmadarsy Niranjan

rajadhara Toladamalaswami Jeeru

Toladamalaswami Gurulingu Swamy

Dambal and others.

Respected Sir.

We applicants applied under

the Indian Arms Act for licenses as

set forth against our respective names.

We Gurulingu owned by the

applicant possesses fire arms of

the following description.

1 Gun No 5547 L.B. 2'-9¼" 1871 Enfield

2 Rifle No 48118 L.B. 3'-1"

3 Gun Deane & Co Ld. Madras No. Lower L.B.

No. 10851. L.B. 2'-7"

4 Gun Henry H. Grace No. 8025 L.B. 2'-0"

5 Revolver Webley R.I.C No. 1500. C.F. 0'-6"

6 Revolver L.B. 0-2¾"

free of all fee

for 1 of 2 Licenses No 2 of 1920 was issued to

the applicant as per

Commissioners No. P.A.1. (Arms) G.R. dt 6-5-1920

Place of keeping the bull municipal House
no 3130 city S.No 1787. (being the applicant
Gamsthan mutt at Gadag)

for 3, 4, 5, and 6 license no 91 of 1921
was issued to the applicant designation
as per commissioner no P.O.K. (Adm.) OR 98 d 6-5-1922
Form XIII (see rule 29).

by Kotty
by which being the same designation
as swami died on 4-11-1926. The present applicant
being appointed to the Gadi of the applicant's
mutt previously to the death of late Gamsthan
succeeded the applicant's mutt under
the same name according to the custom
of the Lingayat ~~mutt~~ Gamsthan mutt of
Tolakeswamies.

Seeing that the mutt continues under
the same name and designation with
unbroke continuance no new license
may be found necessary but to
avoid breach of law in this respect.
The applicant prays that if necessary
a ~~the~~ fresh license may kindly
be issued.

The applicant's mutt possesses

many ornaments [illegible] which are kept in [illegible] godowns on licence for fifty years No. 1 of [illegible] may be renewed after in terms of licence No. 21 of 1990

The applicant has [illegible] and devotees in different places in Dharmapuri district, who see the Hon'ble Lord constantly to travel with ornaments and set out; and renewal, so for fifty years Nos. 3, 4, 5 of 96 a fresh licence may be granted in terms of the licence

* The new licence also allotted.

No. 91 of 1974 Grant for necessary fee. is kept herewith. Hoping that the request will be granted at an early date

I remain
your honours' obedient
servant

Sd/- Rajagopalan Tolkadasami
Rajan Tolkadasami
Sanskrit Mahamahopadhyaya.

To,

His Excellency the Governor of
Bombay in Council,
B O M B A Y.

Humble memorial of Shriman-
niranjan Jagadguru Totad-Swami
Guru Totad Swami Sansthan Math.
Dambal and Gadag.

Gadag 30th January 1911.

Respectfully sheweth,

1. That Your Excellency's humble memorialist is -- Shriman-niranjan Jagadguru Totad-Swami and begs to approach Your Excellency the following memorial earnestly -- soliciting Your Excellency's kind consideration with a -- a view to communicate the same to the Government of --- Madras and Mysore.

2. That he is the spiritual head of the whole ---- Lingayet community and is held in high reverence by all -- the followers on account of his learning and religious -- austerities and that his chief Math (residence) is at -- Gadag.

3. That he is possessed of extensive inam lands in the territories of native Chiefs and British India - inams granted by native Rajahs graciously recognised and continued by the benign British Government to his various -- predecessors.

4. That he has been exempted from personal appearance in Civil Courts and the operation of the Arms Act by Your Excellency's gracious Government (Government Resolution

No. 3084 dated the 15th June 1904 Judicial Department).

5. That he shortly intends paying his respects to the shrine of the original Shri Swami of this Sansthan situate at Yedeyur in Kunagali Taluka of Dumbur District in the Province of Mysore and during such tour he has to pass -- through parts of the Madras Presidency also.

6. That during the pilgrimage to the venerable shrine he has to go as usual with all the insignia and retinue -- befitting his high position and in procession has to pass in cross-palanquin with Panch-Ka'as and other insignia.

7. That Your Excellency's humble memorialist begs to refer to the accompanying orders graciously passed by the Collector of Dharwar and the Commissioner S.D. in respect of his tour within their own jurisdiction.

8. That Your Excellency's memorialist therefore -- humbly and respectfully prays that Your Excellency may be graciously pleased to communicate to the District authorities of the Madras Presidency through that Government -- and to the Government of Mysore that he may be allowed -- to enjoy the same privileges and immunities that he enjoys under Your Excellency's benign Government and be further allowed the services of eight police constables under two mounted or such other officers of superior grade to accompany him and his retinue during the tour through the -- Madras Presidency and the Mysore Province to render him all sort of assistance required of them for the maintenance of dignity as also of peace.

168

No. 0.A.P.

Dharwar 25 Nov. 1932.

Memo.

With reference to his application
of 30-7-32 Shiman Nirangi Gajadgu
Tontadarya Mahaswami of Gadag is
informed that the District Magistrate
has refused his request for swords
licence for self protection and
display

K. Mallikarjuna
for District Magte.
Dharwar

25/11

(87)

No. For. ... Sec.
Bangalore, 18th February 1916.

From

...Mountford, Esquire, I.C.S., I...,
Commissioner, Southern Division.

To

Shriman Viranjan ..., Patwari Tehsil Chiddiliparu
Vakarwani of Cuddapah.

Sir,

With reference to your application for exemption of the Arms Act, I have the honour to inform you that in view of the general policy of the Government of India to restrict the number of exemptions as much as possible, Government regret that they are unable to recommend your application to the Government of India.

I have etc.

Sd. ...J.Mountford,

Commissioner, S. I.

R.t.o.

F o r w a r d e d.

J. H. Carr

Assistant Commissioner, S.D.

BAL

To,

H.C. Gibb, Esquire, I.C.S.,

Commissioner, S.D.

BELGAUM.

The humble petition of the follow-
ers and disciples of the Shriman-
niranjan Jagadguru Tontad-Swami
Sansthan Math Dambal and Gadag.

Gadag September 1910.

Respectfully sheweth.

1. That Shriman-niranjan Jagadguru Tontad-Swami of Sansthan Math Dambal and Gadag is the spiritual head of the whole Lingayet community and is held in great reverence for his profound learning and religious austerities

2. That he is possessed of extensive Inam lands ---- granted by Native Rajas and graciously recognised and continued by the British Government to his predecessors.

3. That he is exempted from personal appearance in -- Civil Courts and the operation of Arms Act in the British Territory.

4. That he intends paying his respects to the shrine of the original Shri Swami of his Sansthan situate in --- Yedeyur in Kunugal Taluka, Tumkur District in the province of Mysore.

5. That he has to go on pilgrimage to the said shrine with all the insignia and retinue befitting his high --- position.

6. That your petitioners therefore humbly and ----- respectfully pray that your honor may be graciously -----

pleased to communicate to the British Resident Mysore and through him to the Mysore Government that he may be allowed to enjoy the same immunities and privileges that he enjoys under this benign Government and be allowed the services of eight police constables under two mounted —— officers of superior grade to accompany him and his return during his tour in that province to render him all sort of assistance required of them

(91)

Reply to petition dated 29th December 1910 Anandmari Guru Totad Swami Vath Mukhtyar of Totad Swami of Gadag.

No. P/1 of 1911.

Camp Advisomapur 5th January 1911.

Petitioner is informed that as previously intimated Government will be prepared to consider an application made by the Guru himself.

2. There is nothing in the orders exempting the Guru from attendance in Civil Court which makes it necessary that he should himself sign an application nor can the Commissioner understand what objection can exist to his doing this.

Commissioner, S. D.

No Sol 254 of 1910

Camp Ahibag 13th November 1910

Memo:-

In reply to their petition dated 10th ultimo, Gurappa Alur and others disciples of the Shriman Jagadguru Totad Swami of Matt Dambal Taluka Gadag are informed that Government are unable to entertain petitions from persons purporting to act on behalf of the Guru and that should the Guru himself apply for assistance, Government will be ready to consider what help they can give him.

for Commissioner S.D.
ASM

Copy of rule 1 of petition
Rules enclosed.

Rules for the preparation and submission of petitions to Government.

---

1. Except in the cases of persons whose rank may entitle them to correspond with Government through Vakils, petitions to Government made by or through agents will be left unnoticed.

True copy.

W. G. Murray
Superintendent.

193

2608

No. 247

POLITICAL DEPARTMENT:

Bombay Castle, April 1911

MEMORANDUM.

With reference to his Vakhtgar's petition dated the 7th March 1911, Jafarabad Modad Swami is informed that he should apply to the Government of Madras and there for any privileges he believes himself entitled to when within their jurisdiction. The Bombay Government cannot take any steps in the matter.

Under Secretary to Government.

(Through the Commissioner, Southern Division).

14/4/11

No P/177 of 1911

Belgaum 20th April 1911

Forwarded

Asst. Secretary

to the Commissioner

[illegible]

[illegible] —

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] —

14-7-1910

[illegible]

[illegible]

To,

The Honourable Mr. M. G. Gibb,
I. C. S. (Cantab) & Co. J.,
Commissioner, N. D.

The humble petition of the
followers of Shriman Niranjan
Jagad Guru Tolad Swami
Sansthan Math Dambal
Gadag.

Gadag 21st July 1910.

Respectfully sheweth,

1 That the petitioners are the followers of Shriman Niranjan Jagad Guru Tolad Swami Sansthan Math Dambal Gadag and that he generally resides at Gadag his chief Math.

2. That he is held in high reverence and esteem by all the Lingayats and he is often

often going out on tours in Dharwar, Belgaum Bijapur, Kanara and other Districts in the Southern Division as also in other places within the native States with his retinue accompanied by his usual insignia to receive homage from his followers and disciples there

3 That on such occasions he has to pass in cross-palanquin in procession with the Kalas-Kalas and other insignia of the high office he holds as the high Spiritual head of the Lingayet Community The ancient right has already been recognised by your Honour as Collector of this District. You were also pleased to get for him the special privilege of exemption from personal appearance in Civil Courts (Government Resolution No 3085 dated 14th June 1904) for all of which the petitioners feel very grateful.

4. That while so going on tours he has necessarily to take with him all his paraphernalia which includes

includes his palanquin, carriages, elephants, camels, etc, with a number of servants and followers and that on occasions he has to send all this in advance

5. That during the journey they have to pass through toll-gates and ferries in the several District of ... Division.

6. That toll and ferry charges under rule No 4 Section 5 of Bombay Act III of 1875 (Tolls) and under rule No 4 Section III of Bombay Act II of 1886 are liable to be remitted in case of natives of distinction whom your Honour may be pleased to consider fit for such exemption

7 That therefore the petitioner humbly and respectfully pray that your may be graciously pleased to confer upon Shrima Niranjan Jagad-Guru Totad-Swamiji such exemption and privilege and to issue orders to all the District and Taluka officers in the Southern Division and

and to the native states within your jurisdiction ~~——~~ &c &c.

Swamies may not be interfered with while carrying arms or while passing in procession with their Palki Kalas and insignias during their travels to and from their residence to the temples of the mountains by the way of the Collector's office, for any time hours.

For which act of kindness and mercy they shall ever remain grateful.

We beeg to remain,
Respected Sirs,
Your most obedient servants,
Sd/ P. Ramaraja Aiyar,
Sd/ V. P. Chandi.
and others

Copied by
S. Neelakanta.

Compared by,
S. Peter.

"True Copy"
D. Chinnaiah
Dis Commissioners S.D.

ಕೆಳಗಿನ ಪದಗಳನ್ನು ಅರ್ಥಪೂರ್ಣ ವಾಕ್ಯಗಳಲ್ಲಿ ಬಳಸಿ.

ಅಂಗಡಿ ಬಾಗಿಲು ತೆಗೆಯುವುದು

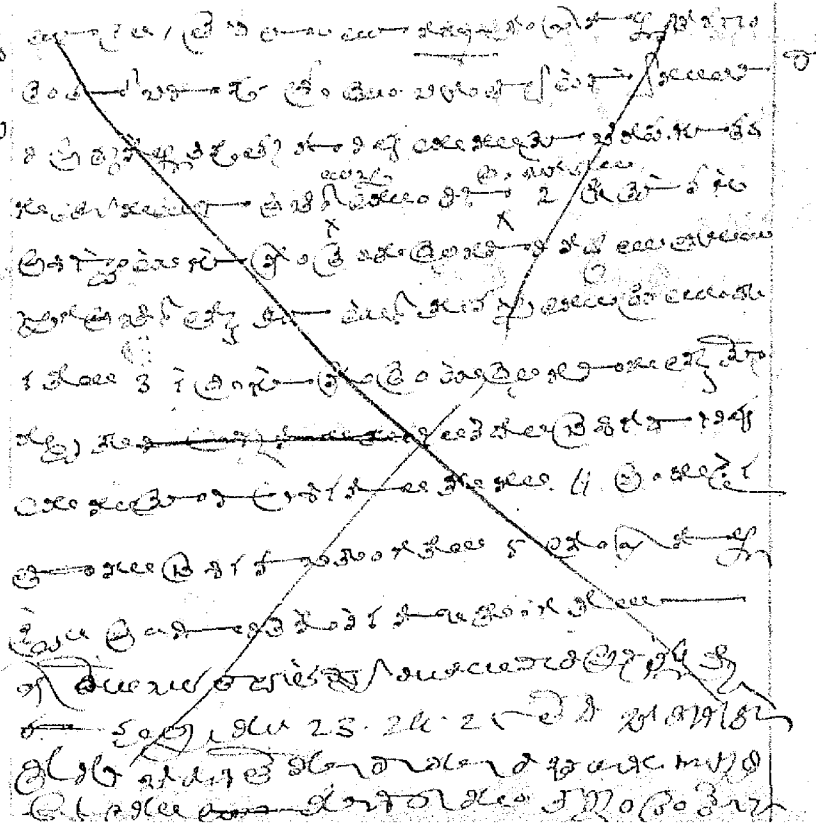
ಅಂಗಡಿ ಬಾಗಿಲು ಮುಚ್ಚುವುದು

ಅಂಗಡಿ ಬಾಗಿಲು ಹಾಕುವುದು

ಅಂಗಡಿ ಬಾಗಿಲು ಮುಚ್ಚಿ ಹೋಗ

[illegible]

1	2	3	4	5



(197)

No.) (Receipt.)

Received a [illegible]

addressed [illegible]

payable at [illegible]

(Add in the [illegible])

With [illegible]

[illegible]

Branch Po[illegible]

No.

(Receipt)

Branch Post Office

No. (Receipt.)

Received a [illegible] from [illegible]

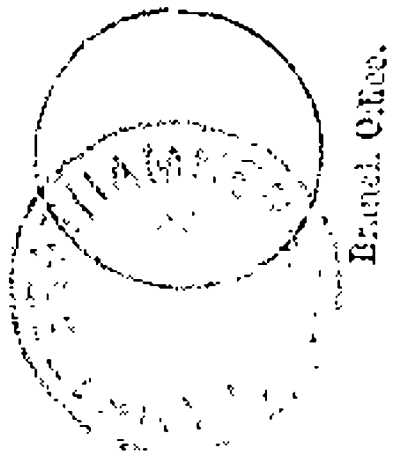
Addressed to [illegible] payable at [illegible] Post Office.

(Add in the case of a prepaid parcel or money order)

with expenses (in words) [illegible]

as detailed below :—

IF A PARCEL.		IF A MONEY ORDER.	
Weight in ozs.	Rs.	Value	Rs.
Postage Prepaid	Rs. As.	Commission	" "



[illegible]

Branch Postmaster.

No.

(Receipt.)

Received a ... Registered Letter

addressed ...

payable ...

(Add in the case of a prepaid parcel or insured letter)

with engrave (in words) ...

stated below.

IF A PARCEL. IF A MONEY ORDER.

Weight ... Oz. Val ...

Postage Prepaid. ... Rs. As. ... nas paisa

Dhoodanga ...

Branch Postmaster.

On Postal Service

Mr. Ramesh Chandra Agrawal
Chandra Chandra

2. & P.-4

Acknowledgment.

Space for postage stamp.

(*To be returned to office of posting for delivery to sender.*)

RECEIVED a Registered No. 31 addressed to—

(Name) The Duke of Bragueshire Belize

Signature of addressee _____

Date of delivery _____ 190

Here enter "registered article" or "parcel," as the case may be.

[illegible]

[illegible]

[illegible] 16 10.6.86 [illegible]

[illegible]

15.6.86

[illegible]

Acknowledgements

[illegible]

[illegible] 392 / 24-12-03 [illegible]

[illegible] 23-12-23 [illegible]

[illegible] 12 6 [illegible]

[illegible]

13/6/04

[illegible]

202

No.P.C.C.S.P.253
Office of the District Magistrate,
Dharwar, 5-10-1940.

7

Read:-

1) Application dated 14-8-1940 filed by the Patta-Vakkyar of Shirsan Iranjan-Jagadguru Potad Mahaswami Guru Potad Mahaswamigalavaru, Samasthan Math, Hubli and Ordag, through his pleader Mr.L.S.Durg and its --- accompaniments.

2) Written statement dated 1-9-1940 of the opponent Shri Jagadguru Sri Mahaswami Guru Sri Adaka Mahaswami Samasthan Math, Sundagi, by his Patta-Vakkyar Vidwan Ashadevi Jaridevaru, filed through his pleaders Rao-Bahadur R.R.Patil and R.S.Sawkar;

3) Documents produced by the opponent on 16-9-1940;

4) previous papers on the subject.

Heard:-

1) Mr.L.S.Durg for applicant.

2) Rao Bahadur R.R.Patil and Rao Bahadur R.S.Sawkar, for the opponent.

O R D E R.

The applicant in this case Shrimad Niranjan Potadswami of Ordag prays that an order may be passed under Section 144 of the Criminal Procedure Code prohibiting the defendants from going in procession in cross-palanquin, as it is alleged that this is a right which is exclusively enjoyed by the applicant and its exercise by anybody else is likely to injure the feelings of his followers and, therefore, cause a breach of peace. My predecessor had on 7-7-1940 permitted the defendant to take out such a procession, if it were customary to do so. After the issue of this order, defendant did take out procession and no breach of peace was occasioned. The applicant now apprehends that defendant will continue taking out such procession on certain festival days and that there is bound to be breach of peace if this happens.

I am not concerned with the right of taking out procession in cross-palanquin, which is now disputed between the parties. It is sufficient for me to say that the parties tried to establish such a right in the Civil Court, but failed as the Court held that they had/ no jurisdiction and, therefore, refused to entertain the suit. The only set of circumstances which would enable me to issue an order under

[illegible]

Copy applied for by Vatmakhtyar Totad Mari Guru Totadsawmy of ~~Gxdg~~x Gadag on the I6th August I913.

It was ready for delivery on 30th Aug. I913. It was sent by V.P. Post on . 30th Aug. I913.

No. of words.	Copying fee	comparing fee.	Paper charges
1490	Rs 1-14-0	0-7-6	0-0 6.

For Collector of Dharwar.

203

Order.

In this case the question at issue is the correctness or otherwise of the claim put forward by the Andanaswamy of Gadag to be carried in cross Palanquin with the insignia of Panchkalasa, and the effect of finding on that issue as regards the District Magistrate's Duty with respect to Sec. 44 of the Bombay District Police Act, and Section I44 of the Criminal procedure Code.

2. The claim of the Andanaswamy is contested by the Totadswamy of Gadg who asserts his spiritual and temporal superiority over the former and regards the exercise of the right claimed as derogatory to his own headship. The right of the Totadaswamy to go in procession with cross Palaquin and Panch-Kalas has been considered and admitted by the Collector and District Magistrate in his order of the I4th May I903. ---- Mr. Gibb found that the practice had been continuous for more that half a century and practically unopposed . In that case the opponents were the representatives of the Shringeri Swamy, the chief spiritual head of the Smarta Community. The dis-

permitted now is there danger of obstruction or annoyance to the public or of a disturbance of the public tranquillity.

11. I find on the first issue in the negative and on the second in the affirmative, for the following reasons:-

3. Eight witnesses of respectability and apparent independence were produced before me by Kunhiraman, who said that they had seen the Annamalaswami going in cross palanquins for periods varying from 30 to 50 years. On the other hand Mr. Venkatrao Veraingrao Nadgowda, the representative of the landlord's family of about part of the country and a relative of the Deccan states that the practice dated from 1807 only and then the Annamalaswami instituted it out of his own. There is absolutely no documentary evidence as to the exercise of the right at any time up to the last year or so from the Collectors of Tellicherry took objection to the proceedings. The evidence of the 8 gentlemen above referred to is entitled to the face of it to consideration. On the other hand due allowance must be made for the esteem in which the Swami Annamalaswami is undoubtedly held and the veneration for the natural tendency to exalt a respected a local dignitary. Considering the relations existing between the two bodies as proved by documentary evidence I am unable in the absence of the clearest proof of the facts to believed that Tottadswami would have permitted the right claimed to be exercised for the number of years alleged without protest. Mr. Venkatrao's account is consistent both with admitted facts and probabilities the popularity and influence of the Annamalaswami have as a record grown and it is natural that with the increase of funds and institution of the ~~[illegible]~~ the [illegible] referred there in to dated A. D. 1716 describes the Tottadswami as "Master of the Annadanamam", and as their Lordships said:- apparently long before there was any Annadanaswamy. "Again :- Ex. No. 50 signed by numerous Swamys including as chief on the list the Annadanaswamy is clear acknowledgement at least of his spiritual supremacy. The assumption of the Anadanam by the plaintiff on the occurence of the lunacy of the first defendant's immediate predecessor and the administration there of for four years by the Tottadswami were acts strongly indicative of supreme temporal and spiritual authority ..... the defendant was

In the Court of the District Magistrate,

Dharwar.

Applicant:- Shree Sri Niranjan Jagadguru Totad Shadaksh-
ara Swami Guru Totad Mahaswami Sivayogi, Mukta
Gamathan Math, Dankal and Gadag.

Versus.

Opponent:- Annadanaishwary Guru Annadaneshwary Vimalt-
math, Kuncoorgal, Taluka Gadag.

Application under Section 144 Criminal
Procedure Code.

The applicant above-named most respectfully begs to submit as below:-

1). The applicant is one of the few High Priests or Jagadgurus of the Lingayat Community. The principal Maths being situate at Dankal and Gadag, it has a great number of branches, Xxxin many towns and cities of Karnatak, Viz., in the provinces of Bombay Deccan and in the Native States of Mysore, Hyderabad, Kolhapur, Sangli, Miraj, Jamakhandi etc. This Math has Inams granted by the pre-British Kings as well as by the British Government. The Swamis of this Math have all along been held in high esteem by the British Government. The Swami has been

of being taken out in cross palanquin with the Panch Kalasa. Of recent years, the opponent has been trying to claim the said privilege of cross palanquin.

5). As will be apparent from the enumeration hereunder,

A). the claim of the opponent has been turned down every time by the District Magistrate and his subordinates and even by the Government, (that of the applicant being at the same time recognised) and sometimes has been prohibited by action under section 144 Criminal Procedure Code against the opponent,

B). the claim of the opponent to establish the said right, (on his failure to succeed before the Magistrates) in the Civil Courts was also finally rejected.

A.

i). 14-5-1903 Recognition of the applicant's right to cross palanquin procession by the District Magistrate. (Vide para 2 of S.No.5 of Accompaniment).

ii). 28-5-1910 Order of Commissioner, S.D. recognising applicant's right of cross palanquin and prohibiting all interference in its exercise (S.No.3 of Acc.)

iii). 9-9-1912. Order of Sub-Divisional Magistrate III Division, under section 144 Criminal Procedure Code, against opponent Swami, and his followers to

obstain from taking out procession in a cross palanquin. A disturbance of the public tranquility was apprehended. (S.No.4 of Accompaniments). It was observed in the order that opponent had neither the right nor the custom in his favour.

It may also be noted, that by the order, opponent swamy was made aware of the fact that it was open for him to get an order similar to the one in favour of the applicant on 28-6-1910. Such an order was never secured by the opponent.

iv). 9-8-1913. order of the District Magistrate pointing out the necessity of orders under section 144 Criminal Procedure or section 44 District Police Act against the opponent if he attempted to take out a procession in a cross palanquin. (S.No.5 of Acc.)

para 7 of the order is very specific in saying that this (attempt by opponent to have a procession in - cross palanquin) will not be permitted in future; and pointing out at the same time that it is the privilege of the applicant.

In para 8 of the order, the questions for consideration have been pointedly raised and answered against the opponent.

In para 4, it is pointed out that "the followers of the (former) applicant have reason ... to resent th the assumption by the (latter) opponent of privileges implying his equality to an extent that is likely to cause a disturbance of the public tranquility".

In fact, the whole order is a reasoned and instructive one covering a good field of previous history

v). 13-12-1913.Order No.8811 J.D. by the Government on appeal against the order of the District Registrar dated 1-8-1913, which says that "after careful consideration, Government see no reason to interfere in the matter". (Copy of Acc)

Order of the Sub-Divisional Magistrate III Division, which is passed by consent of both the parties i.e. the applicant and the opponent (Vide S.No.7 of Accompaniment).

It will be seen from the order in paras 1(c) and 5 that the privilege of cross palanquin exists in the case of applicant Swamy only and not opponent Swamy.

In para 4 of the order, it is noted that feelings between the parties run very high, so much so that it is likely to lead to a breach of the public peace, which, it is the

object of the order to preserve.

being an order by consent of - parties, it has much significance in so far as it spells out an admission by the opponent of the absence of the privilege in him and the existence in the applicant.

Finding that his claim to exercise the privilege would not be "permitted in future" by the Magistracy and that if occasion arose, be even prohibited under section 144 Criminal Procedure Code, the opponent sought recourse to the civil suit by filing a suit.

i). Civil Suit no.277 of 1914 by opponent A (plaintiff) against applicant and his disciples (defts) praying for an injunction against the defendants that they - should not obstruct him (plff) in going in a cross palanquin with ranch malasa etc.

D.no.8 of Accompaniment is the judgment in the suit dated 26-1-1916. The - Court found specifically on the issues raised in the suit not only that

a). the right to parade in a cross palanquin is not the general right of any subject of His Majesty.

b). the right is one that is specially enjoyable by the deft (present applicant.

c). the plff (opponent) has no such right.

but also that

a'. the plff's claim to such a right was not enforceable in a Civil Court.

ii). Appeal no.57 of 1916 to the District Court from the judgment in the above suit Viz. 277 of 1914, preferred by the plaintiff (opponent) was dismissed (S.No.9 of Accompaniment). None of the findings of the trial Court were upset or challenged by the appellate judgment. In para 2 at page 2 of the judgment, it may be observed that the right claimed by the plaintiff was considered in two aspects, viz i) as a religious dignity and privilege

ii) as a

right to take procession (of cross palanquin) in a public street, and the Court held that from either point of view, bombay decisions were against the appellant (plff).

iii'. Appeal No.822 of 1917 was again preferred by the plaintiff (opponent) to the Hon. High Court of Bombay against the above-said judgment. That appeal also was dismissed on 12-8-1920.
(Page 9 of A-c)

6). The above facts will make it abundantly clear that the opponent has not the privilege claimed and that has attempts to exercise it Viz., the privilege of cross palanquin have ~~been~~ on each occasion been either prohibited under section 144 Criminal Procedure Code or orders given to stop it if attempts

were made as it would be resenting to the applicant and his followers and would inevitably lead to a breach of public peace and finally, his attempt to establish and to claim and enforce it in the Civil Courts also failed.

Orders of the District Magistrate dated 9-8-1913 and the order of the Government dated 13-12-1913 are conclusive of the matter.

7). Inspite of all this, the opponent again approached District Magistrate by an application dated 26-8-1940 praying for permission to take a procession of himself in a cross palanquin.

(i). The application was made without placing all the material facts and previous history before the District Magistrate.

(ii). The application was made apparently under section 44 District Police Act requesting Police Bandobast and keeping the present applicant in the dark of the move.

(iii). It was represented to the District Magistrate that the procession would not be objectionable or offensive to anybody

(iv). It was represented that it was a natural right of every body to take out such a procession in public streets.

Both the representations in (iii) & (iv) can be seen to be unfounded by reference to the documents now produced and discussed in para 5 above.

8). (a). No notice of the above said application by the

opponent was given to this applicant. The applicant on coming to know of it, hastened to the District Magistrate for application dated 18-6-1940 and with such materials as he could hurriedly get at the moment, to put before him the relevent facts and explain that the proposed procession be prohibited as that would lead to a breach of public peace. There was not even enough time to produce the papers necessary relevent to the case,

(b). no opportunity of a hearing was given although the objections of the applicant were given by the applications of the applicants were given 19-6-1940, nor was he called upon to produce the documents that he relied upon,

(c). Reports called for by the District Magistrate on the application of the opponent 'Anandamayee's disciples from the police and others were apparently one sided in the sense that the other section of the public (followers of this applicant) never came to know of the enquiries, nor their statements recorded,

(d). It is also learnt, that the disciples and devotees of the applicant's math even gave expressions to their strong resentment against the proposed procession by a mass petition, but all that was too late.

9). Because, on 7-7-1940, the District Magistrate was pleased to give permission to the proposed procession of the opponent on 11-7-1940, on the basis of reports which were apparently suspicious as explained above and in contravention of the explicit orders

of the previous District Magistrate, Government and findings by Civil Court. That the order of the District Magistrate on 7-7-1940 was not the outcome of a consideration of all the material documents seems to be apparent.

1stly because all the documents were not and could not be produced before him in the short time;

2ndly the order says "if it is customary to do so", (that was not customary for the opponent to have the procession is obvious by reference to the documents now produced;

3rdly The Toted Swamy i.e. present applicant was directed to approach the Civil Court, "if the procession was deprecatory to him" (The question of approaching Civil Court could not arise in his case, as the facts of the absence of the right in Annadanaswamy and its existence in Toted Swamy have been repeatedly recognised, accepted and acted upon by the previous District Magistrates, Sub-Divisional Magistrates from time to time, and ultimately decided upon by the Civil Court also. The Civil Court, while specifically deciding upon the respective rights of the parties to the procession, held that the right would not enforceable in the Civil Court. Under the circumstances, to ask the applicant Swamy to approach the Civil Court, against one that had no right at all, a fact accepted both by Government and Civil Court, would not be proper, particularly when the remedy to enforce it through the Civil Court was not available.

10. On the strength of the order and under cover of full police bandobast, the procession of 11-7-1940 was carried through, inspite of the extreme resentment of a considerable section of the public. The section of the public who are followers of the applicant enemy who were naturally excited by a pitch of religious sentiment, which was justified by the consistent conduct of the Government in this connection, were very prone to commit a breach of public peace in their uncontrollable sentiments, but were held in check with considerable difficulty and risk by this applicant in the hope of remedying the situation, if it ever repeated itself. Any repetition of such a gross palanquin procession by Annamalaiswamy will surely result in a breach of public tranquility. The previous orders produced with this application very strongly support the possibility of such a resentment and breach of xxxxx peace.

11). The applicant learns that the opponent feeling himself elated by the procession of 11-7-1940 - having been permitted by the District Magistrate will again make attempts during this month of Araven, an auspicious month in Hindu Calender or some other prominent holidays, to secure police bandobast under cover of section 34 District - Police Act, behind the back of the applicant either from the District Magistrate or from any of his subordinates, on the strength of the recent permission given by your honour's predecessor. Such occasions, if sudden and clandestinely done will all the more likely, lead to a breach of public peace.

12). The applicant begs to bring to Your Honour's notice that this is a fit case for being recommended to the Local Government for a notification under section 144 Cl (6) Criminal Procedure Code, (after immediate orders by Your Honour for immediate prevention under section 144 (1) Criminal Procedure Code, as prayed for in para 13 below) as any such procession will lead "to danger to human life, or safety, or a likelihood of affray or riot". In fact, such a step ought to have been suggested by the applicant after the District Magistrate's order of 9-8-1913 and Government's order of 13-12-1913. While the Government have repeatedly recognised that the opponent has no such privilege and the Civil Court has agreed with them, there should be no difficulty for such a notification. Its absence however will only keep either party in a tense situation all the year round, likely to commit a breach of the public peace any moment the procession comes off. The recent attempt of the opponent in carrying the procession to success, has only made the local situation very exitable. The notification will serve to eradicate the possibility of such breach. The applicant, therefore, prays for recommendation being made to Government under section 144 Cl (6) Criminal Procedure Code.

13). ~~In the meanwhile~~ but at present, it is more than likely, that permission for the procession will be secured by the opponent by some clandestine method and the parade attempted, during this month of Sravan or any of the holidays coming immediately after. The attempt will exite extreme resentment from a considerable number of the public in the village of

Mundargi or wherever it will be attempted and incite them to cause disturbance of public tranquility or riot, backed as they will be by religious fervour, which has been allowed to nurture by the consistent orders of the Government and the findings of the Civil Court.

4 It is, therefore, prayed that Your Honour will be pleased to direct under section 144 Criminal Procedure Code the opponent to abstain from taking out a procession of himself in a cross palanquin with the Panch Kalasa etc., in the village of Mundargi during a period of 2 months from the date of the order. Since the order will operate only for a period two months and as the possibility of the procession by the opponent will be a standing menace leading inevitably to a breach of public tranquility or riot or affray, whenever it is repeated, it is further prayed, that Your Honour will be pleased to recommend to the Local Government as prayed for in para 12 above.

Dharwar,

August 1940

List of Accompaniments.

1). Certified copy of the judgment in Appeal no. 360 of 1867 of the District Court, Dharwar 19-4-1867

2). Certified copy of the judgment in Sp.Appeal No.277 of 1875 to the High Court on appeal No.360 of 1867 of District Court. 16-9-1876

3). Certified copy of order of the Commissioner S.D., Mr.J.C.Gibb. 28-5-1910

4). Private copy of order under section 144 Criminal Procedure Code, by Sub-Divisional Magistrate, III Division, Dharwar Mr.V.K.Ramjoshi. 9-5-1912

5). Certified copy of order of District Magistrate Mr. Mechenochie 9-8-1913

6). Private copy of order of Government in appeal against the District Magistrate's order of 9-8-1913 13-12-1913

7). Certified copy of order of Sub-Divisional Magistrate, III Division, Balekundri 25-7-1914

8). Certified copy of judgment in Civil Suit No.277 of 1914 of Gadag Court. 26-1-1916

9). Certified copy of judgment in appeal No.53 of 1916 to District Court 4-7-1917

10). Certified copy of judgment in appeal no.822 of 1917 of the High Court of Bombay. 11-8-1920

11). Order of the District Magistrate Dharwar under section 44 D.P.Act on the application of the opponent. 7-7-1940.

note

c.. c.4 and 6 are only private copies. The applicant is not in possession of the certified copies. We will produce them immediately they are secured.

Copy applied for on 10th September 1912.

Copy prepared on 30th September 1912.

Copy sent by post on 4th October 1912.

(Sd) in English.

for Commissioner, S. D.

No. 2/4th of 1912.

24th May 1912.

Order under section 4 of the Collector of Dhanbad Jagad Bandhu.

Whereas Sirajuddin Jagad Bandhu dated 22nd September 1911 Dhanbad - 2, Grey has been appointed to pass in open proceedings with the Seal Holder and other insignia of his office as Assistant Agent of the Municipal Company in all places within the Northern Division. All Collectors and District Magistrates are requested to see that the exercise of the said rights by the said Jagad Bandhu not interfered with by anybody.

Sd/ W. C. Gibb.
Commissioner S. D.

True copy.

Sd/ in English

for Commissioner, S. D.

Seal of the
Commissioner

Read Police Inspector, Gadag Circle's vernacular No. 427 dated 8th inst.

Read S.Vinekar for Shri Totadswamy and Mr.Venkatrao Arur for Shri Annadanswamy.

The word procession in this office No.P.A.1046 of 7th inst. was used in its ordinary sense, and it does not give any permission to Shri Annnadanaswmy to do anything in excess of his rights or against custom or in interference with the procession of Shri Totadswamy. No mention of any cross palanquin or pancha kalasa has been made in the application made to this office on the 7th inst., on behalf of Shri Annadaneswmy. If the followers of Shri Annadanaswamy want to have a simple procession without any cross palanquin and pancha Kalasa they may have it in accordance with the orders of the Assistant Superintendent of Police (No.145b dated 7th inst.)

It has been contended for Shri Totadswami that Shri Annadanswamy has no right to go in a cross palaquin with Pancha Kalas and that the High Court has decided that the latter is a disciple of the former. There are orders of the Commissioner S.D. and District Magistrate, Dharwar, in force which allow Shri Totadswami the right to go in a cross palanquin with panch Kalasa and other insignia of his office in all places of the Southern Division (Commissioner S.D's No.P/415 dated 26th July 1910). No such order has been shown to be in existence in favour of Shri Annadanaswmy and he has failed to show that it is customa, for him to exercise the right to which Shri Totadswami has been held to be entitled.

A disturbance of the public transquility is apprehended and there is very little time left to make detailed enquiries. The local Police have already directed the followers of Shri Annadanaswami not to go in procession with cross palanquin and Panch Kalas for today.

I affirm this order and in exercise of powers under

section 144 Criminal Procedure Code, direct Shri Annadanaswami and his followers at Mundargi to abstain from going out in procession with a cross palanquin and Panch Kalasa. It will of course be open to Shri Annadanaswmi to get an order from the proper authorities in some way as Shri Totadswami has done.

Dharwar,
9th September 1912.

Sd. V.K.Hamjoshi
Sub-Divisional Magistrate, F.C
III Division, Dharwar.

No.2220 of 1912.

Dharwar 9th September 1912.

Copy with compliments forwarded to the

Sd/-
Sub-Divisional Magistrate F.C.
III Division, Dharwar.

The District Magistrate, Dharwar
The Assistant Superintendent of Police, Dharwar
The Police Inspector, Gadag Circle (with two spare copies for publication at Mundargi).
The Mahalkari and Magistrate, II Class, Mundargi.
Shri Annadanaswami of Mundargi
Shri Totadswami of Gadag.
Ishwarappa Pompanna & other followers of Shri Annadanaswami of Mundargi.

continuous for more than half a century and practically unopposed. In both cases the opponents were the representatives of the Sringery Swamy the Chief Spiritual head of the Madva Community. The dispute there was between the followers of two different religions. In the present case it is between the followers of two mathe belonging to the same religion and sect. The question that I have to consider are as follows :-

(1). Is there satisfactory evidence that the right claimed by the Annadanaswamy has been exercised unopposed for a substantial period ?

(2). If the exercise of the right claimed is permitted now is there danger of obstruction or annoyance to the public or of a disturbance of the public tranquility

I find on the first issue in the negative and on the second in the affirmative for the following reasons.

3. Eight witnesses of respectability and apparent independence were produced before me at Sundargi who said that they had seen the Annadanaswamy going in cross palanquin for periods varying from 20 to 50 years. On the other hand Mr. Venkatrao Narsingrao Nadgouda the representative of the leading Desai family of that part of the country and a Sardar of the Deccan States that the practice dates from 1907 only at which time the Annadanaswamy instituted a Jatra of his own. There is absolutely no documentary evidence as to the exercise of the rights at any time upto the last year or so when the followers of the Setadaswamy took objection to the proceedings. The evidence of the 8 gentlemen above mentioned is entitled on the face of it to consideration on the other hand due allowance must be made for the esteem in which the present Annadanaswamy is undoubtedly and, to the

best of my knowledge observedly held in amongst and
his neighbourhood and the natural tendency to exalt
a respected local dignitary. Concerning the relation
existing between the two Maths as proved by documentary
evidence, I am unable in the absence of the clearest
proof of the fact to believe that Ratnasabhapathy could
have possibly made the right claimed to be exercised for
the number of years elapsed without protest. Mr.
Venkatramiah's account is consistent both with admitted
facts and probabilities. The popularity and influence
of the Ammavarusavary math are a recent growth and it
is natural that with the increase of funds and the
institution of the new jatra the ceremonies attending
the progress of the Swamy should be celebrated. I hold
therefore that the alleged practice is of recent insti-
tution and not of long standing.

4. Coming to the second issue the significance of
cross palanquin and Pancha Kalasa must be considered.
The privilege of being carried in a palanquin cross
ways is one that so far as my knowledge goes is enjoyed
enjoyed only by Swamis of maths of unquestionable
preeminence. In Mysore the practice has varied
at different time but at present it is admitted in
the case of the Jagadguru of Sringeri alone. The
British India practice is not so strict and the
general tendency of judicial rulings is to maintain
the rights of different sects to make such use as
they like of public streets provided that they do
not thereby invade the rights of property enjoyed
by others or cause a public nuisance or interfere
with the ordinary use of the streets by the public.
Where there is precedent for the use of Adpalki the
privilege has been accorded in this Presidency to

Swamys such as the Swamy of the Mungi Math of Gokaldung irrespective of the view taken in Mysore.

The Pucha Palace is essentially an emblem of royalty or supreme priesthood.

Now the Annadanaswamy of Gadag whose preeminent position along with that of the Swamy of the Sundaraji Parvatvir Math of Hubli is admitted, claims that the Annadanaswamy of Nadanga is no more than his subordinate. The judgement of the High Court in Special appeal No. 277 of 1870 throws the clearest possible light on the respective positions of the two Swamys. A document therein referred to dated 1.9. 1716 describes the Totadanaswamy as " Master of the Sudama Math " and as Their Lordships add "Apparently long before there was any Annadanaswamy ". Again :- " Ex.No.60 signed by numerous swamis including as third on the list, the Annadanaswamy is clear acknowledgement at least of his spiritual supremacy. The resumption of the Pundra Math by the plaintiff on the occurrence of the vacancy of the first defendant's immediate predecessor and the administration thereof for four years by the Totadanaswamy were acts strongly indicative of supreme temporal and spiritual authority..... The defendant was nominated to the office of Annadanaswamy in 1849 by the plaintiff In the present inquiry copy of a registered document has been produced dated 1853 in which the Annadanaswamy styles himself with respect to the Totadanaswamy " Your obedient Annadanaswamy ". Coming to more recent times a Khata standing in the name of the last Annadana Swamy was continued after his death in the same name. The Totadaswami obtained an heirship certificate and got his name substituted An application was made to get the certificate

cancelled but it was rejected by the 1st Class Sub Judge saying. The Annadanaswamy then filed a suit for change of name but withdrew it last year. Another suit with respect to the Pankavad Math is still pending. It is not within my province to decide whether the Intendaswamy is or is not the spiritual and temporal superior of the Annadanaswamy. What I am concerned with is the question, whether the followers of the former have good reason to believe that he is said to resent the assumption by the latter of privileges implying; his equality to an extent which is likely to cause a disturbance of the public tranquility. In my opinion the question must be answered in the affirmative.

b. It has been argued by counsel that, whatever the case may have been once, the Annadanaswamy is now independent and is at liberty to assume the insignia of supremacy. Further it has been urged that the followers of the Annadanaswamy greatly out number the followers of the Intendaswamy in Mundargi and that if they choose to carry their Swamy in cross palanquin they have every right, in view of judicial rulings, to do so. I am unable to accept either argument. The practice of cross palanquin is in its very nature the cause of public obstruction and of interference with the ordinary use of the streets by the public. It is a direct assertion of supremacy so far as the particular sect is concerned and a challenge to those of that sect who deny it. Where it has the sanction of long usage it may be admitted but it would be directly contrary to the interests of public order and peace to admit it in the case of every Math that chooses to cut itself of from the present institution. So far

as Pandya itself is concerned there is some force in the second argument. But if the right were admitted in Pandya it would be claimed elsewhere and the followers of the two Swamys would be liable to come into conflict wherever they are to be found living in the same place.

5. There is nothing to prevent the Mahadevswamy math in Mysore from in addition carrying on the orthodox temple and without such worship also, but for the reasons given here, in preparations made to carry on only religious and the animals specified, it will be necessary to get an order under s. 144 of the Criminal Procedure Code or S. 44 of the Bombay District Police Act.

6. It appears that last year a new Mahadevswamy appointed by the Hindus was carried in cross procession. This will not be permitted in future. The privilege attaches to the Mahadevswamy personally and if it is prohibited in the case of the Swamy of the old Mahadeshwar, the prohibition must apply to any person duly appointed by the Mahadeshwar.

Dharwar 9th. A. Macnaghie.
District Magistrate.

"True copy"

Sd.

for Collector of Dharwar.

Dharwar.

2nd. Clerk.

[illegible] by [illegible] of [illegible] with [illegible] and [illegible] 1913.

[illegible] for delivery [illegible] 1914.

[illegible] September [illegible]

[illegible] fee [illegible].

Sd/

for Collector, [illegible].

[illegible]

[illegible]

[illegible] 1913.

To

[illegible]

[illegible]

Gentlemen,

[illegible] the [illegible] [illegible] by the [illegible] 1913, in which he [illegible] to carry the [illegible] or with the [illegible] under section [illegible] 4 of the [illegible] [illegible] that after careful [illegible] to interfere [illegible].

Sd/ [illegible] Underley.

Under Secretary to Government,

" True copy "

Sd/ the Collector, [illegible].

[illegible] 144 [illegible] by the [illegible], III [illegible].

[illegible] correspondence [illegible] 1 [illegible] 7 [illegible] 325 [illegible]

2. [illegible] the [illegible] of the [illegible]

3. [illegible] but the [illegible] of Shravan [illegible] occasion [illegible].

4. [illegible] conveniently [illegible] the [illegible] their disputes [illegible] court in pursuance of that Notice the Mahajan [illegible] of the two Swamis [illegible] to put in their [illegible] in [illegible] have [illegible] this month.

5. [illegible] note also that the Mahajan [illegible] are [illegible] content [illegible] to bind themselves to any [illegible] that [illegible] admission on their part of the contested [illegible], but [illegible] so far as the present question is concerned, on the following points, Viz. :-

(1). The Shravan Upakarma may be performed by both Swamis.

(c). [illegible] ...

, but in the afternoon ...

(f). The [illegible] ...

... Circle.

(g). [illegible] ... the Church ...

... by the ... his.

(h). [illegible] ... to the ... Plan ...

... the ...

(i). [illegible] ... the ...

...

... [illegible]

... be ... as follows :-

(1) ... the Sphere of the Sun ... should ...

... [illegible] ... the ... in the south of ... York, both of the Lion pattern, ... the usual ... [illegible] ... by both the ... ways :-

(a) On the morning of Tuesday the 14th inst., the ... of the Five Eldhosnar and ... [illegible] ... Norman with all the insignia including such ... [illegible] ... should leave the High Hall by ... [illegible] ... Lion, ... Sun, ... by Oh and seven horns, Valu- ... yer and Thitter shape, the ... more, the ... in front the Lion ... [illegible] ... and fourth days of ... to the ... by the ... route.

(b) On the day (11th-14th) ... the ... to be ... to the house of the Sea ... and ... back to the ... before 9 a.m., by the Old Bear, ... under ... or in part, Shetser and Valu- ... yer ...

(c) In the afternoon of the same day the Three Third ... of ... will go in procession to cross ... with all the insignia including Penon Poles.

(d) On [illegible]day the 12th the [illegible] will [illegible] procession [illegible] his [illegible].

(?) [illegible] of the Shree [illegible] Swami [illegible] in Shravan [illegible] :-

(a) [illegible] (1,-1) [illegible] the [illegible] all the [illegible] the [illegible] by the [illegible] and the [illegible] the [illegible] and [illegible] the [illegible] [illegible] or [illegible] the [illegible] may choose.

(b) On the early morning of Tuesday the [illegible] will be taken in procession to the [illegible] subject to the [illegible] in the [illegible], [illegible] will return to the [illegible].

(c) It is to be noted that the [illegible] allowed when only the [illegible] is seated in the [illegible], and [illegible] the Shree [illegible] Swami [illegible] personally [illegible] in the [illegible]. The [illegible] in his order dated [illegible] August 1913 [illegible] order that [illegible] the privilege [illegible] to the [illegible] Swami [illegible] that the [illegible] of neither Swamis have that privilege nor has the Shree [illegible] Swami himself [illegible] decided by the District Magistrate.

(d) On behalf of the Shree [illegible] Swami it is submitted that during the whole of Shravan it is usual for the devotees to invite the [illegible] to their houses on any day convenient to them and that if an occasion [illegible] to some devotee house arises during the days allotted to the Shree [illegible]

96

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In the District Court of Dharwar
at Dharwar. Ex.No.16

Civil Appeal No.53 of 1916 from decree in Civil suit No.277 of 1914 of the Court of the Sub-Judge of Gadag.

1. Shriman Niranjan Jagadguru Annadaniswamy Guru Annadaniswamy Sansthan Matha Mundargi by his Votmukhtyar Somayya Shidlingayya Hammigi, now Solabayya Mahalingayya Mundargi.

Appellant.
(Ori. Plaintiff(.

Against.

Messrs. Shivrao and Vinekar for No.1 others absent

1. Totadswami Guru Totadswami of Gadag
2. Totayya Andanayya Mangalurof Mundargi
3. Sangayya Channayya Shettar of do
4. Mariyayya Sangayya Shantgiri of do
5. Totayya Adiveyya Gandhada of do
6. Adiveppa Totappa Shabadi of do
7. Basappa Lallappa Naligar of Huvin-Hadagali
8. Andappa Koulpeti of Mundargi. Respondents (Ori.Defts).

Claim Rs.10/-.

The plaintiff appellant styles himself Jagadguru Andaniswami of the Mudargi Math. He states that he

and his Gurus before him, as Jagadgurus, have exercised the right of being carried in a cross palanquin in a procession, that on September 1912 the defts by obtaining an order from a Magistrate stopped the procession. The suit ~~xx~~ is for an injunction. It appears that the usage of riding in a cross-palanquin was first a started by the great Shankaracharya founder of the Smarth sect of Brahmins. This practice has been accepted by others since his time and is looked upon as a valuable religious dignity and privilege. The only question I am concerned with in this appeal is whether the suit will lie. I am of opinion that the suit is not one cognizable by the Civil Courts and I dismiss this appeal with costs.

In considering the authorities the right claimed by the appellant may be regarded in two aspects, first as a religious dignity and privilege and secondly, as a right to take a procession through the public streets. From either point of view the current of Bombay decisions is against the appellant.

In Madhusudan Parwat Vs.Shri Shankaracharya (I.L.R.33 Bom.278) it has been held that "To decide disputes as to precedence or privilege between purely religious functionaries is no part of the business of the Civil Courts; nor will they grant injunctions to prevent preachers from preaching where they like under any title they please, provided no office or property is disturbed or interfered with". In this case there is not the slightest suggestion that the appellant's office as head of the Mundarigi math has in any way been affected.

The High Courts of Bombay and Madras hold divergent views with regard to suits brought to enforce a right to conduct a religious procession. The leading case in Bombay is Satku vs. Khadir vs. Ibrahim Aga (I.L.R. 2 Bom.457) followed in Khaji Sajaudin vs. Madhavadas (I.L.R. 18 Bom. 693) and Virupaxappa vs. Sherifsab (11 Bom.L.R. 372). In Satku's case the plffs as members of the Mohammadan community claimed a right to take their Tabuts along a certain road. The defts had obtained an order from a Magistrate just as in the present case and had prevented them. The English law on the subject is based on the maxim 'Interest reipublicae ut sit finis litium'. It is held that where a public right is obstructed no individual can bring a suit without proving particular damage. Otherwise there would be danger of the Courts being flood by a multiplity of suits. After reviewing the authorities at great length Westropp C.J. came to the conclusion that the mere absence of religious and sentimental gratification was not a sufficient particular damage to give a cause of action where a person had been obstructed in exericising a right of way on a public road. A case which was more especially relied upon was the Privy Counfil casereported in 5 M.I.A., a case which came from this District and related to the very privilege now the subject of contention. The Lingayats and Brahmins of Hubli were disputing the point whether the spritual leader of the Lingayats could be carried in a cross-palanquin. The Privy Council remanded the case for a fresh trial, and one of the issues ordered to be tried was whether the suit would lie. The Judges of the Bombay High Court held that the right of being carried in a cross-palanquin was too unsubstantial

to be the subject of a Civil Suit. There was no further appeal from this decision. The only Bombay Case which the appellant can quote in his favour is Basalingappa Parappa Vs.Dharmappa Basappa (I.L.R. 34 Bom.571). I cannot regard this decision as over-ruling Satku's case, because although that - authority is mentioned it is neither discussed nor distinguished nor reversed. In the judgment the Madras case of Sadagopalacharya Vs.Ramrao (I.L.R. 26 Mad.376) is quoted as an authority for the - proposition that every member of the public and every sect has a right to use the public streets in a lawful manner. This, however, is quite a different question from the one I am now considering. Every sect may have the right to carry their leader in a cross-palanquin. The question is whether the Courts will enforce that right without proof of particular damage. This question did not arise in Sadagopalacharya's case. It is no doubt true that the Madras High Court have distinguished the leading Bombay case (Satku's case) above discussed, but the reason given is open to objection. I refer to Kandaswami Mudali vs. Subraya (I.L.R.32 Mad., 478). The cause of action in that case was said to be a Magistrate's order prohibiting a procession whereas it was assumed that in Satku's case it was mere unaided - obstruction by the defts. It will be found however that in Satku's case also the defts had obtained a Magistrate's order. It does not appear to make any difference to the jurisdiction of the Courts whether the defts enlist the help of the Magistrates or not, in obstructing the alleged right. In the present appeal the appellant's pleader tries to distinguish Satku's case on a new ground. He says that there the plffs brought their suit as members of a certain

community while here it is an individual who is suing. I do not think that the question of jurisdiction can depend on whether the Swami brings the suit himself or has a suit brought by his followers

4th July 1917 Sd. E.Clements
District Judge.

Typed by Read by Compared by True Copy
Sd Sd.A.G.Prabhu Sd.I.G.Supe
Typist. Sd.
Clerk of the
Court.

Appeal No.53 of 1916.

Plaintiff appeals on the following grounds.

1. The decision of the lower Court is against law and evidence in the case.

2. The lower Court was wrong in holding that the right to parade in a cross palanquin was not a general right, exercisable by any subject of His Majesty.

3. The lower Court was in error in deciding that the plff had no right to march in a procession seated in a cross-palanquin in public streets.

4. The Court erred in holding that the facts mentioned in para 2 of the plaint were not proved.

5. The Court below was wrong in holding that the right to enjoy a cross-palanquin procession with birudwale belonged to defendants exclusively as against the plaintiff.

6. The Court below was wrong in holding that the suit was outside the cognizance of the Civil Court.

7. The Subordinate Judge did not apply a free and unbiased mind to the case before him as is apparent from the many unmerited gratuitous insults which the Sub-Judge gives under cover of his judgment.

8. The lower Court imported its own learning in the case in the delineation of the origin of the cross palanquin processions. The extraordinary ability or otherwise of shree Shankaracharya was quite beside the point as also was the history of the Math founded by him.

9. It is quite improper for the lower Court to characterise the plff as a weak minded and short-sighted man given to physical pleasure and worldy objects and devoid of all self respect and learning. The remarks are it is humbly submitted most

unbecoming in a judgment.

10. The witnesses for the plff have only stated what the position of the law is in the matter of public processions. Their depositions should not affect the right of the plff.

11. The lower Court erred in holding that the right claimed by the appellant was only a right to a dignity and nothing more. He had a right to go in a public street in such manner as is consistent with law and that right was interfered with by the defts. The right to proceed in a cross-palanquin with birudavali is incidental to the right of using a high way which is a kxx substantial right.

12. The lower Court has misunderstood and misapplied the decisions in Shankar vs. Shidlingaya. 3 M.I.A. 198, 2 Bombay 494 and 33 Bombay 276.

13. The lower Court has not considered the cases quoted for the appellant and it has not mentioned them in the judgment.

14. The plff and his witnesses never stated that the plff would use the crown in a public street like a topi. This undounded statement fathered on the plff only indicates the prejudice of the Court.

15. The lower Court was wrong in thinking that the right of the plff depended on the question whether the feelings of others would be wounded or not.

16. There was no evidence to show that the feelings of others would be wounded if the plff rode a cross palanquin.

17. The learned subordinate Judge was not justified in stigmatizing the plff's claim as due to libertive principles. The language is quite objectionable.

18. The Court below is wrong in holding that

the plff was not a Jagadguru.

19. The Court below is wrong in drawing an adverse inference against the plff for his not coming into Court. The plff's Mukhtyar was able to answer all the questions put to him by the Court.

20. It was wrong to hold that only the Swami Chitradurga of Hubli together with deft 1 were entitled to be Jagad-Gurus. The title of a Jagad-Guru was not derived from a royal grant. Any Guru who is held in high reverence by his followers and has a numerous following is called a Jagad-Guru.

21. The Subordinate Judge was wrong in holding that the plff's math was not ancient and the plff and his predecessors were only the desciples and nominees of deft 1 and his predecessors.

22. The decision in appeal No.272 of 1875 of the High Court could not and did not establish denial subordination of the plff and his predecessors and successors to deft 1 and his predecessors and successors.

23. The lower Court was wrong in holding that the plff was entitled into the Virakta order by deft 1.

24. The lower Court was wrong in not believing the witnesses for the plff whose evidence established that the plff and his ancestors enjoyed the right of passing in a cross-palanquin from time immemorial.

25. The lower Court was wrong in holding that the Matha of the plff was not as ancient and dignified as that of the deft 1.

26. The decision was given on 26-1-1916, Copies were applied for on 31-1-1916 and were ready on 7-2-16. Hence the appeal is in time.

27. The value of the appeal for Court fee is Rs.5/- for declaration and Rs.5/- for injunction.

That for jurisdiction is (not mentioned).

True Copy

Sd.

Clerk of the Court.

Sectioner Mr.Raghunath Kale 2-8-0 20 Fls.
Examiner Mr.M.J.Gavaskar(
Reader Mr.B Vengurlekar) 0-10-0
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Sd.

Assistant Sheristedar

Appeal No.822 of 1917 from Appellate Decree

Shreeman Niranjan Jagadguru Andaniswami

Guru Andaniswami Sansthan-Math Kundargi

by his Vatmukhtyar Solbayya Mahalingayya

(Ori. Plff). ... Appellant.

Versus.

Totadswami Guru Totadswami and others

(Ori. Defts). ... Respondents

Second appeal against the decision of E. Clements, Esquire, District Judge at Dharwar, in Appeal No.53 of 1916.

The Hon'ble Sir Thomas Strangman with Mr.S. V.Palekar for the appellant

Mr.Dhurandhar with Mr.V.R.Sirur for respondents Nos. 1 to 5 and 8.

Judgment:- The plaintiff alleged that he was one of the Jagadgurus of the Lingayats, that he had many branche maths in the Presidencies of Bombay and Madras, in the territories of the Patwardhan Chiefs and of His Highness the Nizam, that plaintiff's Gurus before him had and plff has the right of going inprocession seated in a cross palanquin adorned with and accompanied by Panch-Kalash and birudavali, that they had and have that ~~that~~ right as Jagadgurus, that they have a right that their

disciples should show them that honour in their own village and also when they go out visiting in public streets, that the plff's Gurus had and plff has - exercised this their right since ancient times, that the procession in a cross-palanquin is taken out in plaintiff's village Mundarigi every year on Vaishakh Sud 10 and 11, last Monday and Tuesday in every Shravan, on Ashwin Sud 10 and at the beginning of Margashirsha without fail. It is taken out also when plff is called by his disciples for worshipping his feet at their homes at all times of the year, it is taken out also when the plaintiff enters villages on his tours and visits his disciples' houses for the worshipping of his feet, that the plff intended to take out a cross palanquin procession on last Monday Shravana of Shake 1834, that the 1st deft induced deft 2 to make an application to the 2nd Class Magistrate of Mundarigi on the 6th of September 1912 and the other defts to the Sub-Divisional Magistrate that there - would be a breach of the peace, that the latter - Magistrate stopped the plff's procession on the 9th of September 1912 and that appeals were preferred, but, failed and hence the suit. The plff prayed for an injunction against the defts that they should not - obstruct the plff in going in a cross-palanquin procession with a Panch-kalash and birudavali on Vaishakh Sud 10 and 11, on last Monday and Tuesday in Shrawans, on Ashwin Sud 10 and in the beginning of Margashirsha in Mundarigi and else where at other - times.

The defts 1 and 3 contended that the Civil Courts had no jurisdiction to try this suit, that the plff was not a Jagadguru, but deft 1's disciple, that disciples before him called Andanmaris like the plff denied that they were deft 1's disciples (Shishyas)

and the High Court held that they were deft 1's shishyas or disciples, that the Andanmari before the plff had admitted that he was deft 1's disciple and had passed a registered deed to that effect, that such maris have no such right of going in a cross-palanquin as claimed in the plaint, that they have no right to take out the procession mentioned in the schedule attached to the plaint and that the 1st deft alone had the right to call himself Jagadguru and go in a cross-palanquin with Panch-Kalash and Virudavali and not the plff.

It may be said therefore on these pleadings that the plff claimed to have the right of being carried in a cross-palanquin in procession as Jagadguru. That was a religious dignity and privilege not for every member of the public, but for himself as Jagadguru. It was the plff who claimed to be carried in procession by his disciles in order that they might worship his feet in their homes, and to be carried in procession on particular days of the year.

The 1st issue raised in the trial Court was, Is the right to parade in the cross-palanquin as described in the plaint a general right exercisable by any ~~and~~ subject of His Majesty ? It is difficult to see at first sight how that issue came to be raised. Certainly it is not relevent to the pleadings. But when issues are raised under Order XIV Rule 1(5), the Court shall, after reading the plaint and the written statement, if any, and after such examination of the parties as may appear necessary, ascertain upon what material proposition of fact or of law the parties are at variance and shall thereupon proceed to frame and record the issues on which the right decision of the case appears to depend It appears from the record that the plff never attended the Court and therefore

he could not have been examined by the Judge. It seems obvious that the plff's pleader must have seen the danger he was in of losing his case as he insisted upon plff's claiming the privilege of being carried in a cross palanquin for himself as Jagadguru. He must have argued before the Court that the plff's suit could succeed, because, he as a member of the public had the right to use the road in any way he pleased provided he did not inconvenience the other members of the public who had equal rights themselves. But it appears to me that this ought never to havebeen admitted. It is absolutely inconsistent with the plff's own case and I cannot imagine that a party in the position of the plff would ever have filed this suit claiming the right to be carried in procession in a cross palanquin not because he was a Jagadguru but because he was a member of the public. In Mahomed Buksh Vs.Hosseini Bibi (1886) (L.R.15 I.A.81) Their Lordships of the Privy Council dealt with the question of raising issues inconsistent with the case made out by the plff. Their Lordships at page 86 xxx said "On the 10th of March 1882 issues were settled.Amongst the issues was this: 2nd whether the Hibbanama on - behalf of Shahzadi Bibi is genuine and valid and executed with her knowledge and consent,or whether it was manufactured without her knowledge and consent, or whether it was executed under undue influence?'.In their Lordships' opinion the latter part of that issue ought not to have been admitted. It was absolutely inconsistent with the case made by the plff. It only becomes possible on the assumption that the alleged cause of action is unfounded. There was another issue which also was admissible on that assumption, viz., whether in case the said Hibbanama is proved to be genuine, it is invalid on any ground according to

Mahomedan Law." Applying those remarks to this case this issue only becomes possible on the assumption that the alleged cause of action in the plaint is unfounded, namely, plaintiff's claim that he is Jagadguru was entitled to be carried in procession in a cross palanquin as a religious dignity and privilege. That cause of action disappears entirely if the plff were to allege that he was entitled to be carried in that way not because he was a Jagadguru, but because he happened to be a member of the public entitled to use the street in any reasonable way. The suit was dismissed by the trial Court as it found on the 2nd issue that this was a special right enjoyable by the defendant No.1 and other high priests of the Hindus like him, that the plaintiff had no right tomarch in a procession seated in a cross palanquin as alleged in the plaint in public streets and that the 1st deft had an exclusive right of riding in a cross palanquin as against the plff. But the lower Court also held that he had no jurisdiction to try the suit. The learned Judge said "I shall examine whether a sui for this honour and ~~gkm~~ dignity unaccompanied by any pecuniary profits and not attached to any particular office shall ~~km~~ lie in a civil Court under section 9 of the Civil Procedure Code. I think that suits for an office are of a civil nature, but in my opinion a suit for vindication for mere dignity, though connected with an office, is not. The present suit is not fo a claim to an office, but for a claim to a mere honou and dignity on account of an office and as I think no maintainable in a civil suit. It has been held that the claim by a Swami or Arch priest that he is entitled to be carried on a high road in a cross palanqui will not be entertained by a civil Court. What is - claimed in such a suit is a mere honour and dignity

a mark attached to the office of a Swami. It has been laid down that civil courts should discourage as far as possible claims of so unsubstantial and objectionable a nature and they ought not to be involved in the determination of trivial questions of dignity and privilege although connected with an office." Reference was made to Sri Sunkur Vs.Sinha (1843) (3 L.I.A. 198). In first appeal the learned Judge said "in considering the authorities the right claimed by the appellant may be regarded in two aspects, first as a religious dignity and privilege and secondly as a right to take a procession through public streets. From either point of view the current of Bombay decisions is against the appellant. In Madhusudan Parvat Vs.Shri Shankaracharya (1906) (I.L.R.33 Bom.276) it has been held that 'to decide disputes as to precedence or privilege between purely religious functions is no part of the business of the civil courts, nor will they grant injunctions to prevent preachers from preaching where they like, under any title they please, provided no office or property is disturbed or interfered with'. In this case there is not the slightest suggestion that the appellant's office as the Head of Lundaram Math has in any way been affected". The learned Judge also referred to a Madras case - Sadagopachariar vs. Rama Rao: (1902) (I.L.R. 26 Mad.376) which was cited for the proposition that every member of the public and every sect has a right to use the public streets in a lawful manner. The learned Judge very rightly remarked that every sect may have the right to carry their leader in a cross palanquin. The question is whether the Court will enforce that right without proof of particular damage. It appears therefore to me that the authorities are perfectly clear. Civil Courts will not entertain a claim of this nature

and really the argument that was addressed to us in second appeal was that we ought to deal with the case as if the plff was suing as a member of the public claiming as such to be entitled to be carried ina cross palanquin if he chose to adopt that method of procession. As I pointed out, that was not the plff's case and I doubt whether if we allowed the plaint to be amended, plaintiff would put his signature to such an amendment.

In my opinion therefore the appeal fails and the suit should be dismissed with costs.

11th August 1920. Sd. M.C.Pacheed

I agree

11th August 1920. Sd. C.Fawcett.

True Copy

Sd. L. G.Rao

Deputy Registrar.

The 10th of July 1940.

Read:- (1) Application dated 28-6-40 from the residents of Kundarigi Petha and disciples of Shri - Jagadguru Annadana Mahaswami Guru Annadana Swami of Kundarigi through their pleader, Rao Bahadur B.S.Bawkar and Rao Bahadur B.L. Patil.

(2) Application dated 19-6-40 from the Matadhityar Shiadayya Basayya Hiremath of Tontadswami Math Gadag and Dambal, through his pleaders Messrs Koti V.G. and B.S.Malimath.

(3) Report of the District Superintendent of - Police, Dharwar No.832 of 20-6-40.

(4) Report of the Deputy Superintendent of Police, No.2307 dated 1-7-40.

(5) Report of the Sub-Divisional Magistrate, F.C. III Division, Dharwar No.F.C.L.22 dated 5-7-40.

...

No.F.C.L.S. 253
Office of the District Magistrate
Dharwar, 7-7-1940.

Memo:-

The applicants, residents of Kundarigi and disciples of Shri Annadani Swami Math of Kundarigi request permission to take out cross palanquin procession of - Shri Annadani Swami of Kundarigi on 11-7-40 through the streets of Kundarigi. The Police Sub-Inspector and also the Mahalkari, Kundarigi report that there is no objection to grant the permission as there is no likelihood of breach of peace and no obstruction to traffic would be caused thereby. After considering objections raised on behalf of Shriman Tontadswami of Gadag, the District Superintendent of Police and the Sub-Divisional Magistrate also have reported that there is no objection to grant the permission. Since it is reported by all the officers and stated by the applicants also in their - application that there is no likelihood of breach of the peace and no obstruction to traffic would be caused, the District Magistrate, Dharwar, also has no objection to the applicants taking out the cross palanquin procession in question if it is customary to do so and subject to the condition that they should obtain the necessary pass from the Police authorities for the procession after specifying the route, terms etc., of the procession as

required by the District Police Act.

2. If Shriman Tontadswami and his disciples consider that the proposed ~~xxxx~~ cross palanquin procession to be derogatory to their religious custom, it is open to them to approach a competent Civil Court.

Sd. D.S.Modak
District Magistrate, Dharwar.

Copy to:-

1. The applicants through their pleaders.
2. The opponents through their pleaders.
3. The District Superintendent of Police, Dharwar W.C.
4. The Sub-Divisional Magistrate, F.C. III Division, Dharwar W.C.S.
5. The Police Sub-Inspector of Kundargi for information and guidance.
6. The Mahalkari of Kundargi for information.

Sd. D.S.Modak
District Magistrate, Dharwar.

2nd

No. M.A

6-7-1940

To,

Shri Jagadgurus Tontadarya

Swami of Gadag.

Sir,

I have the honour to inform you that the application under S. 144 Cr. P. C in which you are the applicants, is fixed for hearing on 16-9-40 at Dharwar at 2 P.M. in the Court of the District Magistrate, Dharwar.

You are further informed that

you are to send in your written
Statement on Monday the 9th instant.

Your most obedient Servant

Manchester

Manchester Gaol

To,

The Collector of

BELLARY.

Sir,

I the undersigned Jangama have leave to approach you with an humble request with the hope that it will be kindly granted.

His Holiness the original Shrimat-Mahasannidhanam Jagadguru Kotada-Swami not known also as Sri Shadlinga Swami, the Spiritual Head of the Jangam Community - the same well known for his religious austerities and holiness, established a Sanskrit Pathsala Gurbal and is residing at Kudagalu, in the Kudligi Taluka of the Bellary District. His Holiness the present Swami is the lawful successor of Anadi Kotada Siddhanga Swami. The present Swami has maintained the good name and high position of the long line of Swamis and is held in high esteem for the purity of his character and for the generosity of his feelings, not only by the - - - Jangam Community but also by those who know him.

The Swami possesses Inam and Government lands in the Bombay and Madras Presidencies and in the Mysore and Hyderabad Provinces. The annual income of all the landed property is not less than Rs. 50,000. There - are more than 600 subordinate Maths in different parts of the two Presidencies and the two native States. - There are now with the present Swami rich jewellery and

curiosities presented by the Rajas of Nagara and Sirsi and other native princes in old times.

The importance of this Math is not to be considered merely from the sentimental point of view. The present Swami makes use of his high position and great riches in promoting education among his disciples and in taking care of all classes of people in need of help.

The Swami invested Rs. 10,000 in the Government Securities Bombay many years ago and the interest has been useful in maintaining a Sanscrit School at Gadag. The School is attended by about 15 students for whom a boarding is allowed in the Math at Gadag. The Swami has arranged to feed in the Math such as may come in search of food.

The Swami stands in need of arms for the protection of the dignity and property of the Math, and licenses are annually obtained. The annual renewal of licenses leads to considerable inconvenience. Exemption from the operation of Arms Act has been graciously granted by Government to persons of lesser position and our request on behalf of the Swami that he may be granted such exemption may not appear unreasonable.

About thirty years ago the opponents of the Math in a Civil ~~Court~~ requested the District Judge of Dharwar to compel the personal appearance of the Swami in the Civil Court. The then District Judge considering the high position and dignity of the Swami declined to grant the opponent's request. It need hardly be pointed out that occasions may now and then arise when malicious persons may think of asking Courts to compel the

personal attendance of the Swami, and the Swami may be at the mercy of the Court. Personal attendance of a Swami of the position of Sheirimalai Jeeyar Jagadguru Ettada Swami in Courts will be a source of intense annoyance and mortification and be derogatory to the position of the Matha.

In the foregoing statement above, we most respectfully and humbly beg that you will be graciously pleased to procure for the Sriman-Maha-Jeeyar Jagad-Guru Ettada-Swami Sundara Vatta Narasi and Gadag, and residing at Harpanagar in Puvinbadagi Taluka, exemption from the operation of the Arms Act and exemption from personal attendance in Court. This request has been graciously granted by the Bombay Government (Vide copies of Government Resolutions hereto appended) and we earnestly request that the Madras Government may be pleased also to extend these privileges.

For this act of kindness not only we, but the whole Jeeyar Community will always be grateful.

We beg to remain,

Sir,

Your most obedient servants:

to understand.

The said followers then on the 7th of September last applied to the Sub-Divisional Magistrate in charge of the Division praying that the orders may be passed allowing the ceremony and procession to be held as usual and praying if need be that time may be fixed for the respective processions. This application was, we understand, forwarded to the --- Assistant Superintendent of Police with observations and --- with a suggestion that time and distance may be fixed for the conduct of the respective processions.

The followers of Shri Totada Swami then seem to have got some report made by the Police, and also approached to the Sub-Divisional Magistrate, who then professing to act under Section 144 of the Criminal Procedure Code (Act V of 1898), passed an order a copy of which is attached hereto.

This order was passed on the very day on which the --- ceremony was to be performed and practically had the effect of prohibiting it, as, without Panch Nalas at all events, religious ceremonies are rarely performed among Lingayets. Though the said order was passed as said therein for want of time to make detailed enquiries, no such enquiries --- seem to have been subsequently made or ordered to be made. But later on there is another order received from the same authority wherein the parties concerned are asked to get an order from Your Honour.

The procession that is now objected to in cross --- palanquin and Panch Nalas was enjoyed by Shri Annadanaswami for 50 years if not more, and no objection was ever before raised by any one to the same, on the last year's Dasara day as in previous years, and on other days when the said Swami had to be taken from one place to another, he was generally taken in procession in cross palanquin with --- Panch Nalas and the present procession is now for the --- first time objected to simply out of ill-feeling entertained against the said Math by the rival Moth of Shri Totada Swami and its followers. We are prepared to prove

as we have already done before the local Magistrate that till the last Dasara day, and even thereafter whenever there was any occasion for a move the said Shri Annadan-swami used to enjoy processions in cross palanquin with Panch Kalas.

Apart from this enjoyment we respectfully submit that as a subject of this benign Government the Swami has a right inherent to go in palanquin and cross ---- palanquin with such insignia and music etc. as he or his followers may wish to have on the occasion on public --- streets etc. This inherent right has been recognised by the highest judicial authority (vide the following rulings).

1. Madras H.C.R. 50
I.L.R. 2 Madras 140 at pages 141, 142.
Do Do 143.
Do 5 Do. 304 at page 309.
Do 6 Madras 203 at page 206, 215, 220 F.B.
Do 7 Calcutta 694.

All the above rulings judicially lay down that every subject, not to speak of a Swami having extensive ---- following, has an inherent right to go in procession on public streets and high way in such conveyances and --- with such music as he would wish to have. This inherent right we respectfully submit will not be denied to a Swami whose worth and merit are well known to Your --- Honour.

As the Shri Jagadguru Annadanaswami has been asked by the Sub-Divisional Magistrate to obtain permission from this Court, we now approach your Honour and pray that permission may be granted for the said Swami to go in procession in cross palanquin with panchkalas.

We may be here allowed to say that on the next Dasara day which falls on the 20th Instant, we shall have a similar procession as usual in past years, and on public streets, and we pray that orders may be ---- issued

...ruct to the Police and to the Local Magistrate to take ---
necessary measures against any possible interference therewith

... of this act of kindness, justice and generosity we,
and all the followers of ... Sri Jagadguru Annadanaswami --
Sansthan math ... hereby, shall as in duty bound remain ever
the same.

16th October 1912.

We beg to remain,

Honoured Sir,

Your most obedient servants.

[illegible]

Compared by

True copy.

District Magistrate, Dharwar.

Dated 7/10/1914.

Yours faithfully,
[illegible]
III Class Pleader

/A1/

14-10-11

211

Head Police Inspector, Undag Circle's Annexure . A. 22 dated 8th instant.

Head Mr. P. Nirmal for Shri Sotadeswami and Mr. Venkatarao Avur for Shri Annadanaswami.

Order of the Court

The word 'procession' in this office No. P.A. 1616 dated 7th instant was used in its ordinary sense, and it is not to stop Annadanaswami by anything in excess of his rights or against custom or in interference with the procession of Shri Sotadeswami. No mention of any cross palanquin or Panchakkalas has been made in the application made to this office on the 7th instant on behalf of Shri Annadanaswami. If the followers of Shri Annadanaswami want to have a simple procession without any cross palanquin and Panchakalas they may have it in accordance with the orders of the Assistant Superintendent of Police (No. 1488 dated 7th instant).

It has been contended for Shri Sotadeswami that Shri Annadanaswami has no right to go in a cross relanquin with Panchkalas and that the High Court has decided that the latter is a disciple of the former. There are orders of the Commissioner, N.D. and the District Magistrate, Dharwar in force which allow Shri Sotadeswami the right to go in a cross palanquin with Panchkalas and other insignia of his office, in all places of the Southern Division (Commissioner, N.D.'s No. P/615 dated 26th July 1916). No such order has been shown to be in existence in favour of Shri Annadanaswami and he has failed to show that it is customary for him to exercise the right to which Shri Sotadeswami has been held to be entitled.

A disturbance of the public tranquility is apprehended and there is very little time left to make detailed inquiries. The local Police have already directed the followers of Shri Annadanaswami not to take in procession with cross palanquin and panchkalas for to-day.

I affirm the order passed in exercise of powers under section 144, Cr. P. Code, direct Shri Annadanaswami and his followers not undertake procession with cross poles in the Perchkulam. It will, of course, be open to Shri Annadanaswami to get an order from the proper authorities in the same way as Shri Totadswami has done.

Bharar,
21st September 1917.

Sub-Divisional Magistrate, T.V.,
III Division, Bharar.

No.2220 of 1917.

Bharar, 5th September 1917.

Copy forwarded with compliments.

Sub-Divisional Magistrate, T.V.,
III Division, Bharar.

To

The District Magistrate, Bharar.

The Assistant Superintendent of Police, Bharar.

The Police Inspector, Gaving Circle(with 75 spare copies for publication in Sundargi).

The Tahsildar and Magistrate, Ex-Oase, Sundargi.

Shri Annadanaswami of Sundargi.

Shri Totadswami of Gaung.

Ishwarappa Pujari and other followers of Shri Annadanaswami of Sundargi.

9 SEP 1917

Rec'd Dec 18
7/2/17

Copy applied for by Virappa Basapa Daregal, Agent to Shri Jagad guru Lotad Swami Sansthan and Bambal & Jadag, on 21-1-1913.

Copy ready for delivery on 29th February 1913.

Sent by V.P. on 10 3 1913

No. of words	Copying fee	Comparing fee	Postage charge	Total.
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For District Magistrate, Dharwar.

To

The District Magistrate,

Dharwar.

The humble petition of Shri Jagadguru Annadana-swami guru Annadanaswami Saunsthan Math ---- Lundargi through his agent Shanbasaya bin Fakirayya Hemgiri Math in connection with the procession of the said Swami in palanquin cross-wise with its usual attendant ceremonies at Lundargi and other places.

Most respectfully showeth :- That His Holiness Shri Jagadguru Annadanaswami, the petitioner, is one of the --- Lingayet Gurus or religious heads of all sects of Lingayets and several other communities in this and other District including those in Madras Presidency and in Nizam's territory and has got thousands of followers in those places. He has got Maths, religious houses in several important places in this and other Districts and he receives homage from his followers wherever he goes. He has been held in great ---- veneration by the public consisting of Brahmins, Lingayets, Jains and other Hindu communities and even by Mahomedans. The office of the petitioner is a long standing one and was occupied from time to time by several incumbents, one after the other and your Honour's petitioner, is the present --- incumbent holding the office since about 1888 and exercising

all the rights and privileges of his predecessors. The --- petitioner has been in enjoyment of all the rights and ---- privileges which have been enjoyed by the Swamis of other -- kindred Maths such as Murgavir-Swami Math of Hubli and Totad Swami of Gadag and Murgi Swami of Chitradurg.

2. That the petitioner, has been since many years, going in procession in palanquin cross-wise in public streets on ---- several important occasions of festivities in every year. So in the month of Shravan last i.e. on the 9th and 10th of September 1912, he, the petitioner, wanted to go in procession in cross-palanquin with Panch-Kalas and other insignia, at Mundargi, as usual, but on the representation of some person on the side of the rival Math of Shri Totad Swami of Gadag the Sub-Divisional Magistrate issued orders on 9-9-1912 , -- stopping such procession under the then circumstances. That officer, however, has not decided that the petitioner, has not got any right to go in procession in cross palanquin, but as he could not make detailed inquiries at the time, on ---- account of the apprehension of ~~the~~ breach of the peace, he has left the question open and has directed the petitioner in that order as well as in his subsequent order of the 5th October 1912, to apply to your honour and obtain necessary orders in this respect, similar to those which Shri Totada-- Swami has got. Hence the petitioner has submitted this humble petition and he prays that your honour will be pleased to hold necessary inquiry with regard to the customary right in question and pass such orders as are proper and desirable in the matter. It may be stated here that it is customary with the petitioner to go in procession in palanquin cross--wise with Panch-Kalas and other attendant insignia on the Dasara holiday which is approaching and that the followers of this Math are anxious to see that such procession is --- allowed.

3. That as to the proof of this customary right, the petitioner submits that, some local enquiry had been held by the Mahalkari and 2nd Class Magistrate of Mundargi on

the

the 7th September 1912 and some respectable witnesses have been already examined by that officer and the petitioner offers to adduce evidence of numerous witnesses of different classes and creeds, if further inquiry is ordered.

4. That, this right, is claimed by the other Swamis of Lingayats and other communities, only by usage and not under any royal grant from any previous kings. Even in the case of Shri Totada Swami there appear to be no documents of sufficiently old date to prove the exercise of the right in question. No doubt Shri Mureavirada Swami of Hubli and Shri Durgi Swami of Chitradurg may have got such old documents to prove the usage during the last 50 years. As enquiry was held by the District Magistrate in 1903, into the rights of both the Swamis of Hubli and Gadag in one case, both the --- Swamis have been given permission in this respect. Then the opposing party was the Swami of Smart Brahmins. The petitioner respectfully submits that his position, as Swami of a large portion of Lingayat community, is similar to that of other Swamis and is as exalted as others. The petitioner further -- submits he is not in any way subordinate to Shri Totada Swami of Gadag and the High Court in a Suit of 1860 has only held that the predecessor of the petitioner was nominated by the predecessor of Totada Swami of Gadag to make vahivat of ---- certain property resumable at will and so awarded the claim of of the Totada Swami to recover that much property. . That decision does not, it is submitted, lower the status of the petitioner in other respects. Again supposing for the sake of argument, petitioner's Math is subordinate to Totada ---- Swami's Math, it does not follow, that the subordinate Maths should have no claim to the rights and privileges of the ---- Math from which they derive their authority. It cannot be --- shown that this particular right or privilege has been ---- withheld by the Math of Shri Totada Swami nor can it be shown that any Swami has got this privilege exclusively and has --- enjoyed the same since ancient times.

5. That apart from this customary right which has

been exercised by the petitioner's Math since long, the petitioner begs to claim this right as an inherent right of every Swami having a large number of follower and held in high respect by the public. The petitioner has attached herewith, the extracts from judgments of the several High Courts not only in connection with similar rights, in --- general, but also in connection with this particular right in question. They show that every person or every Swami ca exercise such an innocent right and that he should be ---- protected in its exercise, of course, such subject to the limitations, as to times etc., to be prescribed by the --- executive authorities in the interests of the public ----- peace.

5. That for the above and other reasons the ---- petitioner begs to request that Your Honour will be ---- pleased to hold necessary inquiry and to grant permission to the petitioner to go in procession in palanquin cross--wise with Panch Kalas and other usual insignia.

Dharwar,
17th October 1912.

ಪ್ರಾರ್ಥಕರವರು ಕೊಟ್ಟ ಅರ್ಜಿಯಲ್ಲಿ ಕೊಟ್ಟ ಅರ್ಜಿಯಲ್ಲಿ ಕೇಳಿದ್ದಂತೆ ಮಾಡಲು ಅಡ್ಡಿ ಇಲ್ಲವೆಂದು ತಿಳಿಸಿದೆ.

True copy.

District Magistrate,
Dharwar.

To

The District Magistrate,

Honoured Sir,

The undersigned, [illegible] of the [illegible] of Shri Sri Adhivara Annadanaswami Sansthan [illegible] respectfully beg to approach your Honour with the following humble representation and pray that redress may be given to us.

The followers of the said Shri Annadanaswami [illegible] to perform the religious ceremony called the [illegible] Ceremony" on the last Monday of the Hindu month of Shravan wherein the said Annadanaswami is taken to the [illegible] river to a place called "the Panchlingam [illegible] after the ceremony of Pala puja (worshipping [illegible] swami returns in procession in cross-mark with [illegible] Kalasa. This they have been doing for the last 50 years or more. The said ceremoney was duly advertised [illegible] take place on the last Monday of the last Shravan which fell on September last.

In the meantime the followers of the Shri Lakshmi Narasimha Swami of Bambal and Gadag advertised similar ceremony and procession on the same day and obtained an order from the Assistant Superintendent of Police in virtue of which the ceremony and procession of Shri Annadanaswami was practically prohibited as the followers of the said Math were given

to

to understand.

The said followers then on the 7th of September last applied to the Sub-Divisional Magistrate in charge of the Division praying that the orders may be passed allowing the ceremony and procession to be held as usual and praying if need be that time may be fixed for the respective processio This application was, we understand, forwarded to the --- Assistant Superintendent of Police with observations and -- with a suggestion that time and distance may be fixed for t conduct of the respective processions.

The followers of Shri Totada Swami this seem to have got some report made by the Police, and also approached to the Sub-Divisional Magistrate, who then professing to act under Section 144 of the Criminal Procedure Code (Act V of 1898), passed an order a copy of which is attached hereto.

This order was passed on the very day on which the --- ceremony was to be performed and practically had the effect of prohibiting it, as, without Panch Kalas at all events, religious ceremonies are rarely performed among Lingayets. Though the said order was passed as said therein for want of time to make detailed enquiries, no such enquiries --- seem to have been subsequently made or ordered to be made. But later on there is another order received from the same authority wherein the parties concerned are asked to get an order from Your Honour.

The procession that is now objected to in cross ---- palanquin and Panch Kalas was enjoyed by Shri Mahalingeshwar for 50 years if not more, and no objection was ever before raised by any one to the same, on the last Dasara day as in previous years, and on other days when the said Swami had to be taken from one place to another, he was generally taken in procession in cross palanquin with --- Panch Kalas and the present procession is now for the ---- first time objected to simply out of ill-feeling enter--tained against the said Math by the rival Math of Shri Totad Swami and its followers. We are prepared to prove

as

as we have already done before the local Magistrate that till the last Dasara day, and even thereafter whenever there was any occasion for a move the said Shri Annadana -swami used to enjoy processions in cross palanquin with Panch kalas.

Apart from this enjoyment we respectfully submit that as a subject of this benign Government the Swami has a right inherent to go in palanquin and cross ---- palanquin with such insignia and music etc. as he or his followers may wish to have on the occasion on public --- streets etc. This inherent right has been recognised by the highest judicial authority (vide the following rulings).

1. Madras H.C.R. 50

I.L.R. 2 Madras 140 at pages 141, 142.

Do Do 143.

Do 5 Do. 304 at page 309.

Do 6 Madras 203 at page 206, 215, 220 F.B.

Do 7 Calcutta 694.

All the above rulings judicially lay down that every subject, not to speak of a Swami having extensive ---- following, has an inherent right to go in procession on public streets and high ways in such conveyances and --- with such music as he would wish to have. This inherent right we respectfully submit will not be denied to a Swami whose worth and merit are well known to our --- Honour.

As the Shri Jagadguru Annadanaswami has been asked by the Sub-Divisional Magistrate to obtain permission from this Court, we now approach your Honour and pray that permission may be granted for the said Swami to go in procession in cross palanquin with panchkalas.

We may be here allowed to say that on the next Dasara day which falls on the 20th Instant, we shall have a similar procession as usual in past years, and on public streets, and we pray that orders may be ----

issued

issued to the Police and to the Local Magistrate to take --- necessary measures against any possible interference therewith.

And for this act of kindness, justice and generosity we, and all the followers of the Shri Jagadguru Annadanaswami -- Sausthan Math Mundargi, as in duty bound remain ever thankful.

10th October 1912.

We beg to remain,

Honoured Sir,

Your most obedient servants.

True copy.

District Magistrate, Dharwar.

Copy was applied for by Śrīdharacharya Śrīdharacharya ...
Vaikunthaprasad Gadag ...luka Gadag on 14th April 1914.
It was ready for delivery on 2/10/14 1914.
It was delivered over on 5/10 1914.

No. of pages.	Copying Fees.	Searching Fees.	Certified charges.	Postage.	Total.
1342	1-11-0	0-3-0	0-0-6.	----	2-2-6

*Note: Vide the original copy in which no charge is included.

[illegible]
Sub-Divisional Magistrate,
...., III Division, Dharwar.

Proceedings under section 144 Criminal Procedure Code held by the Hon'ble Divisional Magistrate, First Class, III ---- Division, ... Dharwar.

Next correspondence beginning from the ... instant --- Superintendent of Police, C.I.D. No. 1699 of 6th September 1913 and ending with his endorsement No. 3525 dated 20th -- April last.

2. It appears that for sometime past disputes have arisen between the three Sonad Swami of Gadag and the three Andan-Swami of Lakshmeshwar over questions of temporal and spiritual supremacy. In the month of Shravan of the last Hindu year, a dispute arose regarding certain Utsavs to be performed in that month. The Mahalkari and Magistrate, II Class Lakshmeshwar apprehended a breach of peace and prohibited both the parties from performing any Utsav.

3. The occasion was past but the Assistant Superintendent of Police, C.D., considered that it would be in the interest of public peace, if the question of the Utsava to be performed in the month of Shravana was settled before another occasion arose.

4. The Swamis were accordingly informed by the Undersigned

by a notice that they might consider the advisibility of settling their dispute amicably or through Court and in pursuance of that notice the Authorities of the two Swamis have appeared and put in their written statements. A fresh occasion has now arisen as this year's Utsavas have to be performed this month.

2. The statements show that the Authorities are naturally cautious not to bind themselves to any statement that might go as an admission on their part of the contested questions, but there seems to be an agreement so far as the present question is concerned on the following points viz:-

(1) The Shravan Utsavs may be performed by both Swamis

(2) But that it should be performed not in the same week, but in the different weeks.

(3) The Shree Adi Swami to take up the third Monday to begin his Utsavs.

(4) The Shree Andhali Swami to take up the fourth Monday to begin his.

(5) Both agree as to the line on which the Utsavs are to be performed.

3. These lines are laid down in the written statement put in.

ORDER.

4. It is hereby ordered:-

(1) That the Utsavs of the three Istad Swamis should begin this year on the third Monday in the month of Shravana, which falls on 10th Proximo, on the general lines as laid down below and as agreed to by both the contending parties:-

(a) On the morning of Monday the 10th Proximo, the image of the three Shidheshwar God be seated in a palanquin with all the insignia including Panch Kalas and the palanquin should leave the Math and be carried, if they like, cross-wise, by Channadaver House, Yelluraver and Shetter Shows, the bazars, the grain Market, the Khas Kacheri and go on to the Panchlingana Gaadi on the bank of

Jungbhadra and return in the afternoon by the same route.

(c) On Tuesday (16th) (11-7-16) morning the Uriya murti to be taken to the house of Ubhaya Varadhar and thence taken back to the Math before 9 A.M. by the Sale Master, Konkangoubar mali, Grain Market, Chettiar and Pallurayar shops.

(d) In the afternoon of the same day the three Totadayami of Gadag will go in procession in Green Palanquin with all the insignia including Chauri Kalis.

(e) On Wednesday the 17th the three Totad Swami will go to Adoni in procession with all his insignia.

(f) The Chaturmas of the three Totadayami Swamis should begin on the fourth Sunday in Shravana which falls on 17th proximo and should follow the general lines laid down below:-

(a) On Sunday morning (17-8-16) the image of Shree Siddheshwar God be seated in a palanquin with all the insignia including Chauri Kalis. The procession to start from the Math and go by the Sea-Bazar, Shivaji, Vithoba's temple, and the Mail Bazaari and go to the Ranchhagan Gadi and to return to the Math the same evening, taking Gadag road and passing in front of the Hanuman temple near Sod Agasi, Sale-Bazar, Ayyaswar street, Vishtappana shop, Sea-Bazar. The palanquin may be carried cross wise if they choose.

(b) On the early morning of Sunday the Uriya Murti will be taken in procession to the house of Virupakshettiar in the Sale Bazar in a palanquin carried in the ordinary manner. The procession will return to the Math passing Vishtappana shop and the Sea-Bazar.

(5) It is to be noted that the Green Palanquin and the Chauri Kalis are allowed when only the image of Shree Siddheshwar is seated in the palanquin, and also when the Shree Totad Swami of Gadag personally with in the ----

Palanquin. The District Magistrate has in his order -- dated 5th August 1919 decided that "the privilege attaches to the Utsavar personally" and it is therefore clear that the Aryan Murti of neither Swami have that privilege for which Adhina Swami himself is decided by the District Magistrate.

(4) On behalf of the three Vaidiga Swami it is submitted that during the period of Bhramma it is usual for the -- devotees to invite the Aryan Murti to their homes on any day convenient to them and that if on occasion to go to some devotees' houses arises during the days allotted to the three noted Swami they should be allowed to carry the Aryan Murti in a palanquin in procession. This - request is inoffensive in form, but I am not sure, that there-in does not lie the germ of a possible breach of peace. From the discussion that followed on this point, in Court, between the contending parties, I am satisfied that the feelingsstill run very high; so high that any slightest cause is likely to offend one another and I therefore do not think it safe in the interest of public peace, to leave any loop-hole however small or inoffensive it may seem to be, which is likely to endanger the public peace, which it is the very object of this order to - preserve. I therefore order that neither the three noted Swami nor the Three Adhina Swami be allowed to arrange any procession or carry their or other Aryan Murtis in palanquin without obtaining the written permission of the Thahsildar and Magistrate, II Class at least three days before the date of such intended procession. The Thahsildar and -- Magistrate, II Class should not give such permission, - unless he finds it absolutely necessary and also without considering the objections of the other party and also without consulting the highest Police Officer present on the spot.

8. A copy of this order should be served on the at Mykhtiyar of the two Swamis and copies should also be forwarded to the

Shalkari and Registrate, II Class, Gadag, for information and guidance.

The Sub Inspector of Police, Gadag, for information and making the necessary police arrangements to carry out the above order.

The Assistant Superintendent of Police with compliments, for his information.

(Sd) S. L. Alexandri.,
Sub Divisional Magistrate, I Class,
III Division., Dharwar.

Dharwar,
25th July 1911,

"True Copy"

Sub Divisional Magistrate, I Class,
III Division, Dharwar.

Copied by

Compared by

Copy applied for by Virappa Basapa Naregal, Agent to Shri Jagad guru Totad wami Sausthan Math Dambal & Gadag, on 21-1-1913.

Copy ready for delivery on 29th February 1913.

Copy sent by V.P. on 10-3-13

No. of words	Copying fee	Comparing fee	Paper charge	Total.
	1 2 0	0 4 6	0 0 6	1 7 0

For District Magistrate,
Dharwar.

To

The District Magistrate,

Dharwar.

The humble petition of Shri Jagadguru Annadana-swami Guru Annadanaswami Sounsthan Math ---- Kunhargi through his agent Chanbasaya bin Fakiray Hengiri Math in connection with the procession of the said Swami in palanquin cross-wise with its usual attendant ceremonies at Kunhargi and other places.

Most respectfully showeth :- That His Holiness Shri Jagadguru Annadanaswami, the petitioner, is one of the --- Lingayet Gurus or religious heads of all sects of Lingayets and several other communities in this and other District including those in Madras Presidency and in Nizam's territor and has got thousands of followers in those places. He has got Maths, religious houses in several important places in this and other Districts and he receives homage from his followers wherever he goes. He has been held in great ---- veneration by the public consisting of Brahmins, Lingayets, Jains and other Hindu communities and even by Mahomedans. The office of the petitioner is a long standing one and was occupied from time to time by several incumbents, one after the other and your Honour's petitioner, is the present --- incumbent holding the office since about 1860 and exercising all

all the rights and privileges of his predecessors. The petitioner has been in enjoyment of all the rights and privileges which have been enjoyed by the Swamis of other Kanarese Maths such as Lursavir-Swami Math of Hubli and Totad Swami of Gadag and Durga Swami of Chitradurg.

2. That the petitioner, has since many years been going in procession in palanquin cross-wise in public streets on several important occasions of festivities in every year. So in the month of Shravan last i.e. on the 9th and 10th of September 1912, he, the petitioner, wanted to go in procession in cross-palanquin with Panch-Kalas and other insignia, at Mundargi, as usual, but on the representation of some person on the side of the rival Math of Shri Totad Swami of Gadag the Sub-divisional Magistrate issued orders on 6-9-1912, stopping such procession under the then circumstances. That officer, however, has not decided that the petitioner, has not got any right to go in procession in cross palanquin, but as he could not make detailed inquiries at the time, on account of the apprehension of ~~xxx~~ breach of the peace, he has left the question open and has directed the petitioner in that order as well as in his subsequent order of the 5th October 1912, to apply to your Honour and obtain necessary orders in this respect, similar to those which Shri Totada-Swami has got. Hence the petitioner has submitted this humble petition and he prays that your Honour will be pleased to hold necessary inquiry with regard to the customary right in question and pass such orders as are proper and desirable in the matter. It may be stated here that it is customary with the petitioner to go in procession in palanquin cross-wise with Panch-Kalas and other attendant insignia on the Dasara holiday which is approaching and that the followers of this Math are anxious to see that such procession is allowed.

3. That as to the proof of this customary right, the petitioner submits that, some local enquiry had been held by the Mahalkari and 2nd Class Magistrate of Mundargi on the

the 7th September 1912 and some respectable witnesses have each already examined by that officer and the petitioner offers to adduce evidence of numerous witnesses of different classes and creeds, if further inquiry is ordered.

4. That, this right, is claimed by the other Swamis of Lingayats and other communities, only by usage and not under any royal grant from any previous kings. Even in the case of Shri Totada Swami there appear to be no documents of sufficiently old date to prove the exercise of the right in question. No doubt Shri Mursavirada Swami of Hubli and Shri Murgi Swami of Chitradurg may have got such old document to prove the usage during the last 50 years. As enquiry was held by the District Magistrate in 1903, into the rights of both the Swamis of Hubli and Gadag in one case, both the --- Swamis have been given permission in this respect. Then the opposing party was the Swami of Smart Brahmins. The petitioner respectfully submits that his position, as Swami of a large portion of Lingayat community, is similar to that of other Swamis and is not exalted as others. The petitioner further -- submits he is not in any way subordinate to Shri Totada Swami of Gadag and the High Court in a Suit of 1860 has only held that the predecessor of the petitioner was nominated by the predecessor of Totada Swami of Gadag to make vahivat of ---- certain property resumable at will and so awarded the claim of ~~of~~ the Totada Swami to recover that much property. . The decision does not, it is submitted, lower the status of the petitioner in other respects. Again supposing for the sake of argument, petitioner's Math is subordinate to Totada ---- Swami's Math, it does not follow, that the subordinate Maths should have no claim to the rights and privileges of the ---- Math from which they derive their authority. It cannot be --- shown that this particular right or privilege has been ---- withheld by the Math of Shri Totada Swami nor can it be shown that any Swami has got this privilege exclusively and has --- enjoyed the same since ancient times.

5. That apart from this customary right which has been

been exercised by the petitioner's Math since long, the petitioner begs to claim this right as an inherent right of every Swami having a large number of followers and held in high respect by the public. The petitioner has attached herewith, the extracts from judgments of the several High Courts not only in connection with similar rights, in --- general, but also in connection with this particular right in question. They show that every person or every Swami can exercise such an innocent right and that he should be ----- protected in its exercise, of course, xxxx subject to the limitations, as to times etc., to be prescribed by the --- executive authorities in the interests of the public ----- pence.

5. That for the bove and other reasons the ---- petitioner begs to request that Your Honour will be ---- pleased to hold necessary inquiry and to grant permission to the petitioner to go in procession in palanquin cross--wise with Panch Kalas and other usual insignia.

Dharwar,

17th October 1912.

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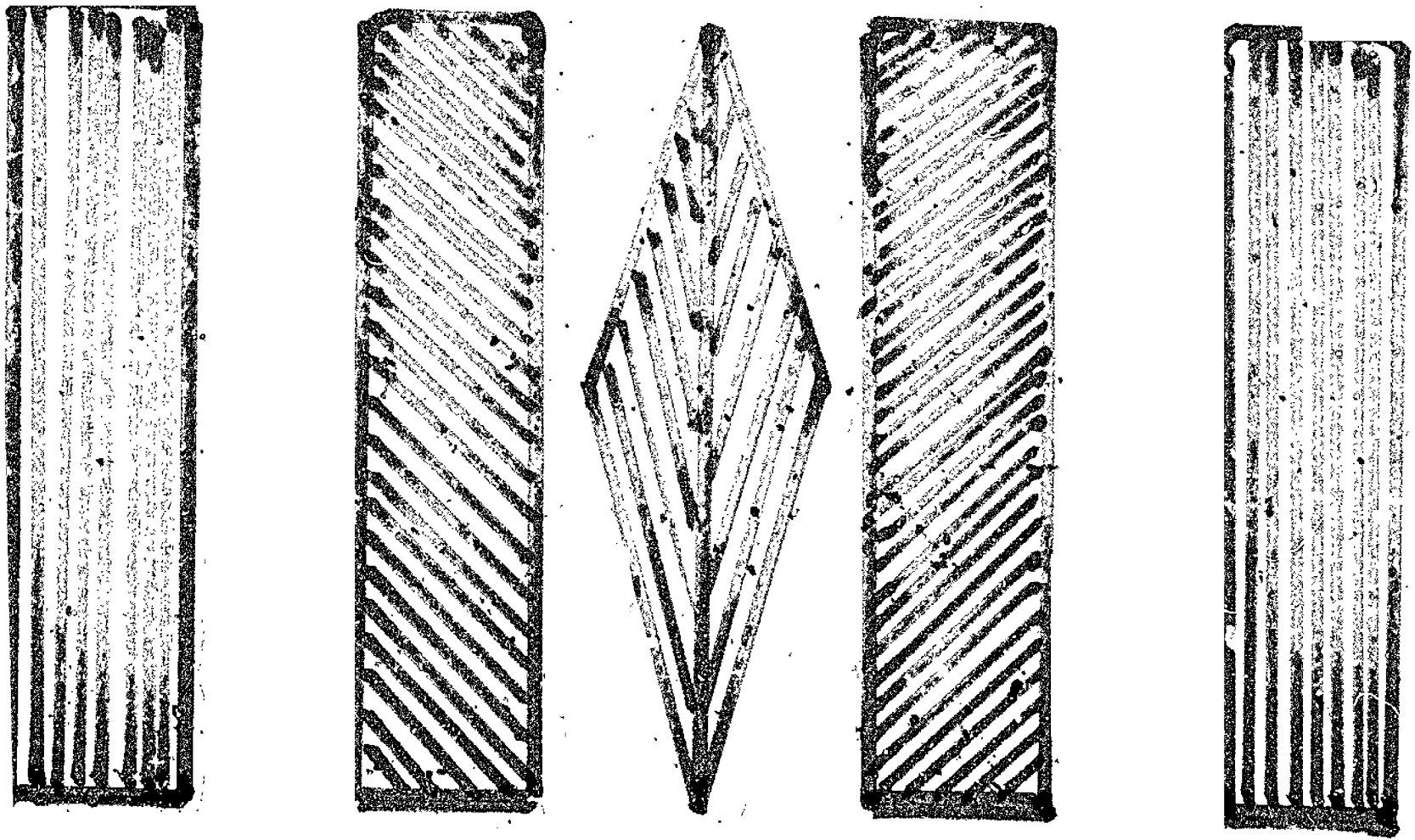
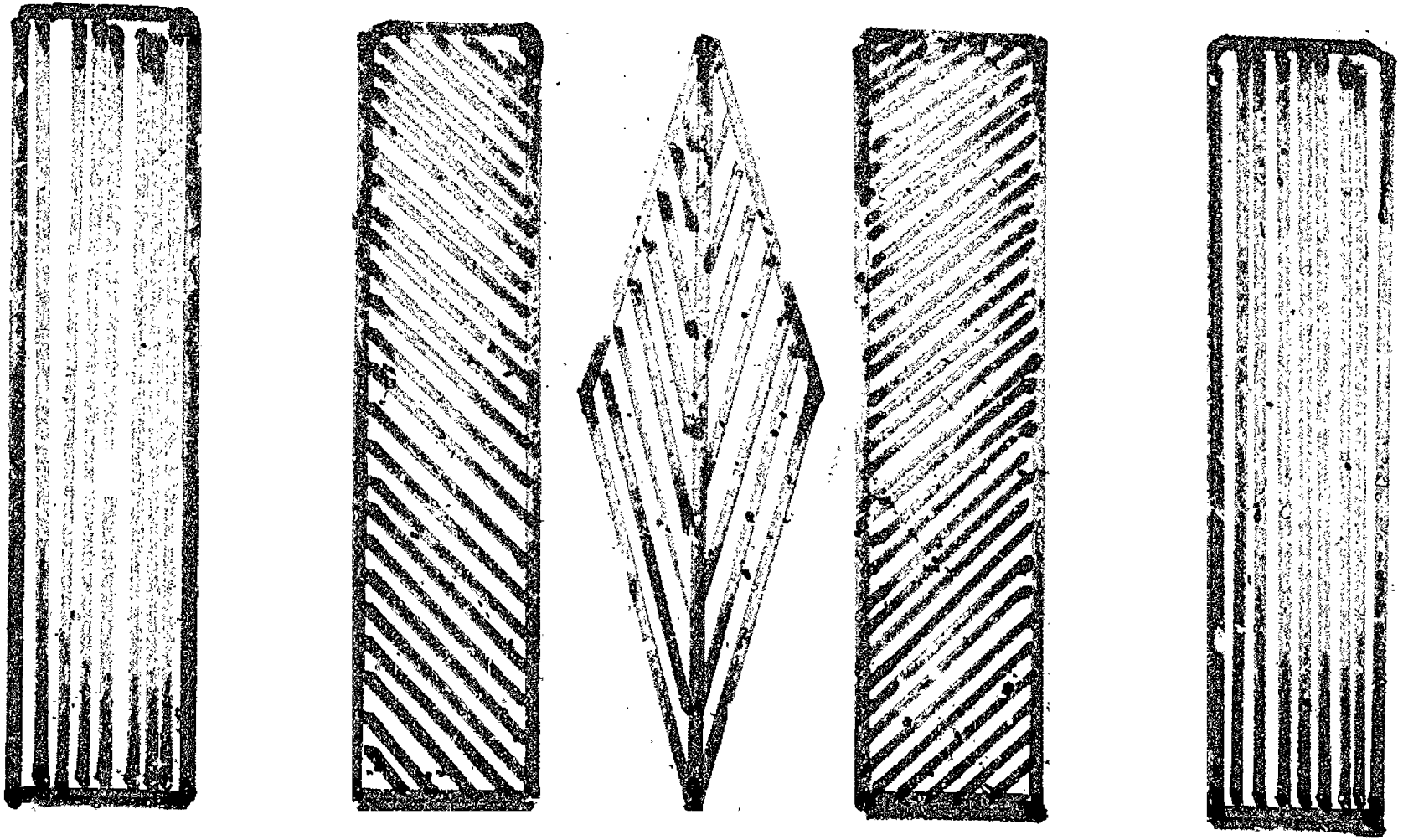
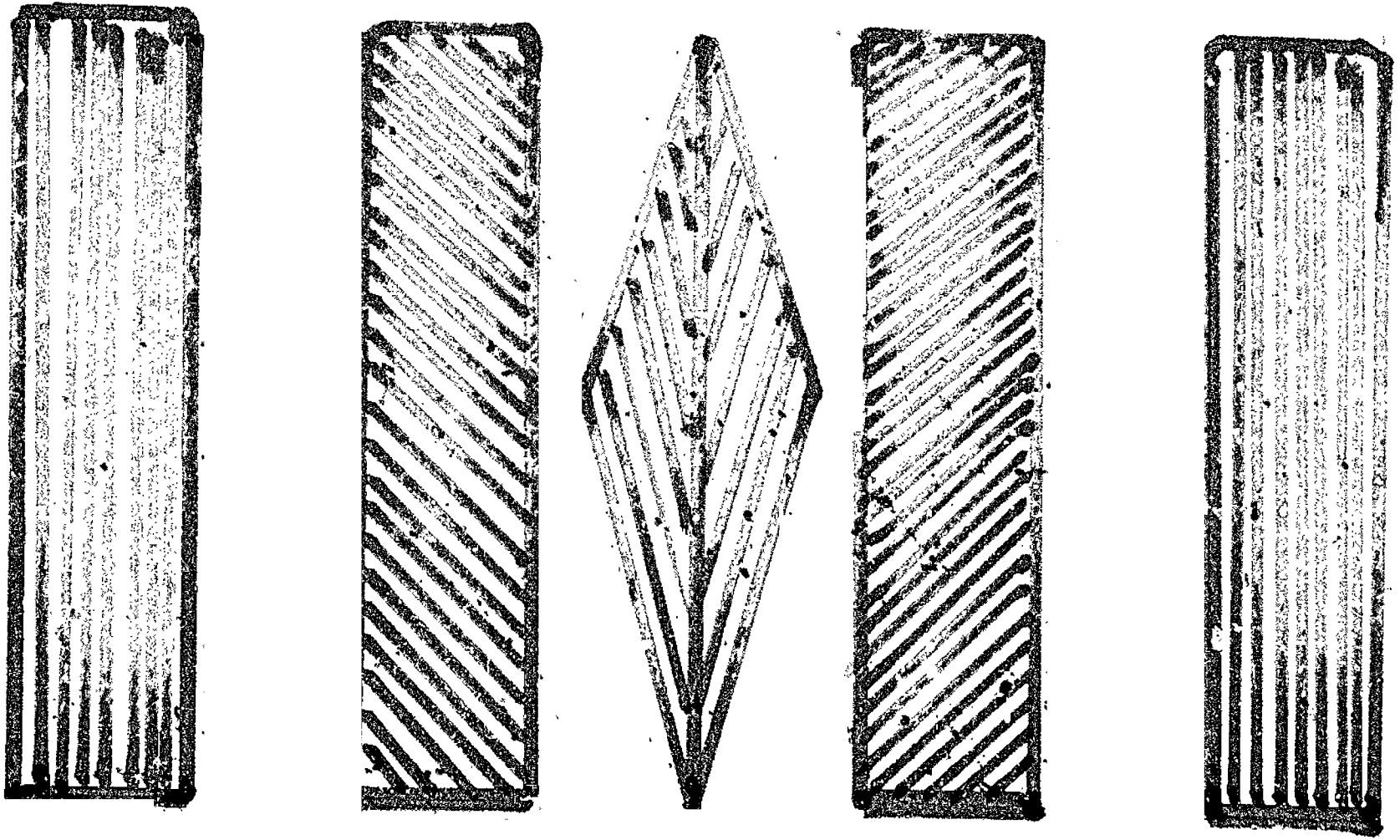
True copy.

District Magistrate,

Dharwar.







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ಕಾಲಿಗೆ ಬೆಳ್ಳಿ ಕಡಗ ಮತ್ತು ಬೆರಳಿಗೆ ಬೆಳ್ಳಿ ಉಂಗುರ ಧರಿಸಿದ್ದಳು. ಅವಳ ಕೊರಳಲ್ಲಿ ಕಪ್ಪು ಮಣಿಗಳ ಸರ ಇತ್ತು.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಆಭರಣಗಳು ಇರಲಿಲ್ಲ. ಅವಳ ಕಿವಿಗಳು ಚುಚ್ಚಿರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಗಾಯದ ಗುರುತುಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಹಚ್ಚೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಮಚ್ಚೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಕಪ್ಪು ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಬಿಳಿ ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಕೆಂಪು ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಹಳದಿ ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಹಸಿರು ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ನೀಲಿ ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಕಂದು ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಕಪ್ಪು ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಬಿಳಿ ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಕೆಂಪು ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಹಳದಿ ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಹಸಿರು ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ನೀಲಿ ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

ಅವಳ ಮೈಮೇಲೆ ಯಾವುದೇ ಕಂದು ಚುಕ್ಕೆಗಳು ಇರಲಿಲ್ಲ.

TWO ANNAS

ಕೊಡಗು ಜಿಲ್ಲೆಯ ಸಿದ್ದಾಪುರ ಪಟ್ಟಣದಲ್ಲಿ ಸಾರ್ವಜನಿಕರ ಅನುಕೂಲಕ್ಕಾಗಿ ಸಾರ್ವಜನಿಕ ಶೌಚಾಲಯ ನಿರ್ಮಿಸಿ ಕೊಡಲು ಕೋರಿ ಸಿದ್ದಾಪುರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಸದಸ್ಯರು ಮನವಿ ಸಲ್ಲಿಸಿರುವ ಬಗ್ಗೆ.

ಸಿದ್ದಾಪುರ ಪಟ್ಟಣದಲ್ಲಿ ಸಾರ್ವಜನಿಕರ ಅನುಕೂಲಕ್ಕಾಗಿ ಸಾರ್ವಜನಿಕ ಶೌಚಾಲಯ ನಿರ್ಮಿಸಿ ಕೊಡಲು ಕೋರಿ ಸಿದ್ದಾಪುರ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಸದಸ್ಯರು ಮನವಿ ಸಲ್ಲಿಸಿರುವ ಬಗ್ಗೆ.

ಸಮರಸದಲ್ಲಿ ಬಾಳುವ

[illegible]

1 Bangarchetti Srinivasa

TWO ANNAS

220

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EIGHT ANNAS

[illegible]

[illegible]

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ಮಾಡಿದಾ ದಸ್ತು ೮ ನ ದಾ

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ಮಾಡಿದಾ ದಸ್ತು ೩ ನ ದಾ

ಸಹಿ

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FOUR ANNAS
FOUR ANNAS

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[illegible] 155-156 [illegible] 1174 [illegible]

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Sub Regr

THE SEAL OF THE SUB-REGISTRAR [illegible] GADAG

2 Rs.
INDIA
ONE RUPEE
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2528 238 IR.

ONE RUPEE

INDIA

ಕ್ರಮ ನಂಬರ. 2626
ಸನ್ 1936 ನೆ ಇಸವಿಯ [illegible]
ತಿಂಗಳ 18 ನೇ ತಾರೀಖಿನ ಹಗಲು 9
ಮತ್ತು 10 ಘಂಟೆಯ ನಡುವೆ ಹುಬ್ಬಳ್ಳಿ
ಸಬ್ ರಜಿಸ್ಟ್ರಾರ ಕಚೇರಿಯಲ್ಲಿ ತಂದು
ಕೊಟ್ಟಿತು.

ಕೆಳಗೆ ಬರೆದ ಪ್ರಕಾರ ಫೀ ಮುಟ್ಟಿದೆ:—

ನೋಂದಿಸುವ ಫೀ	ರೂ.	- 8 -
ನಕಲು ಮಾಡುವ ಫೀ		
(ಪುಟಗಳಿಗೆ)	,,	- - 6
ಶೋಧದ ಫೀ	,,	- - 6
ಟಪಾಲ ಫೀ	,,	- - 6
ಒಟ್ಟು ರೂ.		1 - 6

[illegible]

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ಸಬ್-ರಜಿಸ್ಟ್ರಾರ.

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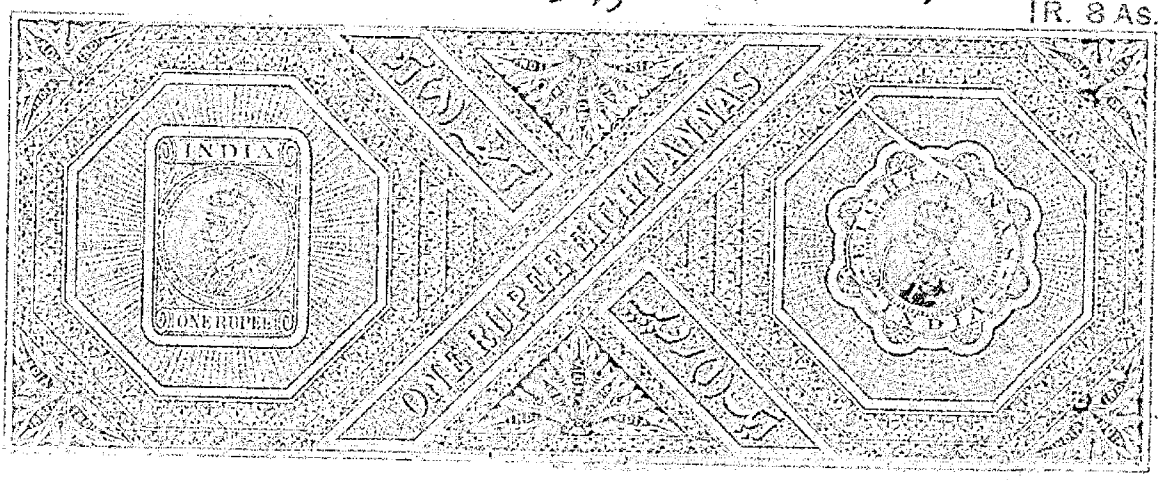
2015 226



STAMP OFFICE
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BOMBAY

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[illegible]

11 [illegible] 1914

[illegible] 213 [illegible]

937 [illegible]

11 [illegible] 1914

[illegible]

229

ಸಾಗರ

ಸಾಗರ ತಾಲ್ಲೂಕು ಕಚೇರಿಯಲ್ಲಿ ಅಂಚೆ-ಚಂದಾದಾರರು ಇವರ

ಅಂಚೆ ಪೆಟ್ಟಿಗೆಯಲ್ಲಿ ಮತ್ತು ಕಚೇರಿಗೆ ಸಮೀಪವಾದ ಕಡೆಗಳಿಂದ ಕೊಡಲ್ಪಟ್ಟ ಬೈಪೆಗಳಲ್ಲಿ ಕಂಡುಬಂದ ಹೆಸರಿಲ್ಲದ ಮತ್ತು ಇಷ್ಟು ಬಹುಮಾನ ಕೊಡಲಾಗುವುದು ಎಂದು ಪ್ರಕಟಿಸಿದ ಮೇಲೆ ಬಂದ ಅನಾಮಧೇಯ ಕಾಗದಗಳು ಇವುಗಳ ಸಂಖ್ಯೆಯನ್ನು ಕೆಳಗೆ ಕೊಟ್ಟಿದೆ.

ಕ್ರ ಈ ಎರಡೂ ಗುರುತಿಗಳ ನಡುವೆ ಬರುವ ಕಾಗದಗಳು ಕಚೇರಿಯ ಅಧಿಕಾರಿಗಳಿಂದ ಕಂಡುಬಂದಾಗ ಗುರುತು ನಿಡಬೇಕಾದವು.

ಸಾಗರ ತಾಲ್ಲೂಕು ಕಚೇರಿಯಲ್ಲಿ ಅಂಚೆ-ಚಂದಾದಾರರು ಇವರ ಅಂಚೆ ಪೆಟ್ಟಿಗೆಯಲ್ಲಿ ಮತ್ತು ಕಚೇರಿಗೆ ಸಮೀಪವಾದ ಕಡೆಗಳಿಂದ ಕೊಡಲ್ಪಟ್ಟ ಬೈಪೆಗಳಲ್ಲಿ ಕಂಡುಬಂದ ಹೆಸರಿಲ್ಲದ ಮತ್ತು ಇಷ್ಟು ಬಹುಮಾನ ಕೊಡಲಾಗುವುದು ಎಂದು ಪ್ರಕಟಿಸಿದ ಮೇಲೆ ಬಂದ ಅನಾಮಧೇಯ ಕಾಗದಗಳು ಇವುಗಳ ಸಂಖ್ಯೆಯನ್ನು ಕೆಳಗೆ ಕೊಟ್ಟಿದೆ.

ಕ್ರ ಎರಡು ಗುರುತಿಗಳ ನಡುವೆ ಬರುವ ಕಾಗದಗಳ ಸಂಖ್ಯೆಯ ಆಧಾರದ ಮೇಲೆ ಬಹುಮಾನಕ್ಕೆ ಅರ್ಹವಾದ ಕಾಗದಗಳು ಯಾವುವೆಂದು ಕಚೇರಿಯ ಅಧಿಕಾರಿಗಳು ನಿರ್ಣಯಿಸಿದರು. ಆದಾಗ್ಯೂ ಕಾಗದಗಳು ಬಹುಮಾನಕ್ಕೆ ಅರ್ಹವಾಗಿದ್ದರೂ ಅವುಗಳ ಲೇಖಕರು ತಮ್ಮ ವಿಳಾಸವನ್ನು ಕೊಡದಿದ್ದರೆ ಅಥವಾ ಕೊಟ್ಟ ವಿಳಾಸ ಸರಿಯಾಗಿಲ್ಲದಿದ್ದರೆ ಅಂಥ ಕಾಗದಗಳಿಗೆ ಬಹುಮಾನ ಕೊಡಲಾಗಿಲ್ಲ

ಯಾವಾಗ್ಲೆ ಮನೆದನಗಳ ಪ್ಪಚನ್ಸೆಯನ್ನು ಮಾಡುವ ಬಾಬಿಶ್ಚ : ಭೂಮಿಯ ಮುಕ್ತಸೂತಿನ ಕಾನು ದ್ಯೆಯ ಮೈಲಿಂದ ಮಾಪಲ್ಪಟ್ಟಿ ಕಾನೂನುಗಳಲ್ಲಿ ನಿಂಬುಕ ಕಾನೂನಿನ ಬಿನ್ನಯ ಪೀಕ್ಷಪಟಾವ ಶೀರ್ಷ ಗಳನ್ನು ಗೊತ್ತು ಪಡಿಸಿರಲಿಕ್ಕಿಲ್ಲ ಹಾಗು ನಂಬಿಕ ಭೂಮಿಗೆ ನಮೂ ನೆಟ್ಟಪೊಂಟ ಆಗು ಮಾಡಿರಲಿಕ್ಕಿಲ್ಲ; ಆ ಗ್ಲೆ ಕಲೆಕ್ಟರರು ಸಾಧಾರಣಗಾಶಃ ಕೊಡಬಹುದಾದ ಇಂಥ ಮನೆದನಗಳ ಪಟ್ಟಿಯ ನಮೂನೆಯು.

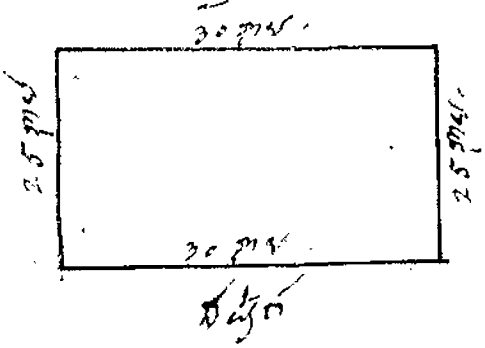
ಇದರ ಮೇಲಿಂದ ಬಾಧ್ಯತೆಯನ್ನು ಕೊಡೋಣಾಗುವದೆನೆಂದರೆ— ಪಟ್ಟಿಯ ಆ ಹಕ್ಕಿನ ಬಗ್ಗೆ ಯು.ಟಿ.(ಕ)ರೂಪಾಯಿಯ ರಸೀದು ಕೊಟ್ಟಿನೆ ಮತ್ತು ಆನಂತರ ಯಾವನಿಗೆ ನಾನು ಭೂಮಿಯ ಕಬ್ಜೆಯನ್ನು ಕೊಟ್ಟಿನೆ ಅವನಿಂದ ಶಾರು ಆಗುವ ತೊಂತಕ್ಕೆನ್ನು ಪರಿಷ್ಕಗಳ ಮುದ್ದತಿನವರಿಗೆ ಧಾರವಾಡ — ದ ರಜಿಸ್ಟ್ರೇಶನ ಸಬ್ ಡಿಸ್ಟ್ರಿಕ್ಟಿನಲ್ಲಿಯ ಹಾಗು ಧಾರವಾಡ — ಜಿಲ್ಲೆಯ ಧಾರವಾಡ ತಾಲೂಕಿದಲ್ಲಿರುವ ಮನೆಯ ಳದ ಖಾತೆ ಕೊಟ್ಟಿನೆ, ಅದರ ವಿವರಣೆಗಳು ಕೆಳಗೆ ಬರುವಂತೆ ಅವೆ:—

* ಟಿಪ್ಪಣಿ ಈ ಎರಡು ಗುರುತುಗಳ ನಡುವೆ ಇರುವ ಶಬ್ದಗಳನ್ನು ಖಾತೆಯ ತಕ್ಕುದು ಹಾಗೆ ಸಾಟಿ ಕೊಟ್ಟಾಗೆ ಬಿಟ್ಟು ಬಿಡತಕ್ಕದ್ದು.

ಮನೆಯ ಬಾಬ್ತಿನ ಕಂಪ್ಲಿಯ ವಿವರಣೆ ಕೊಡತಕ್ಕದ್ದು — ಬಾಬ್ತಿನ ಕಾಯದ ಪ್ರಕಾರ ವಿವರಣೆ ಕೊಡತಕ್ಕದ್ದು — ಮನೆಯ ವಿವರಣೆ — ಮನೆಯ ಕಂಪ್ಲಿಯ ವಿವರಣೆ ಕೊಡತಕ್ಕದ್ದು —

(ಇಲ್ಲಿ ಸನ ೧೮೭೯ನೇ ಇಸವಿಯ ಹಿಂದುಸ್ಥಾನದ ಸೋಂದ ನೆಯ ಆಕ್ಟಿನ ಪ್ರಕಾರ ಕಲಮಿನ ಪ್ರಕಾರ ಹೇಳಿದ ಮೇರಿಗೆ ಸದರಿ ಭೂಮಿಯ ಮತ್ತು ಮನೆಯ ಸರ್ವೆನಂಬರು ಮತ್ತು ಹದ್ದುಗಳನ್ನು ಬರೆಯಬೇಕು.)

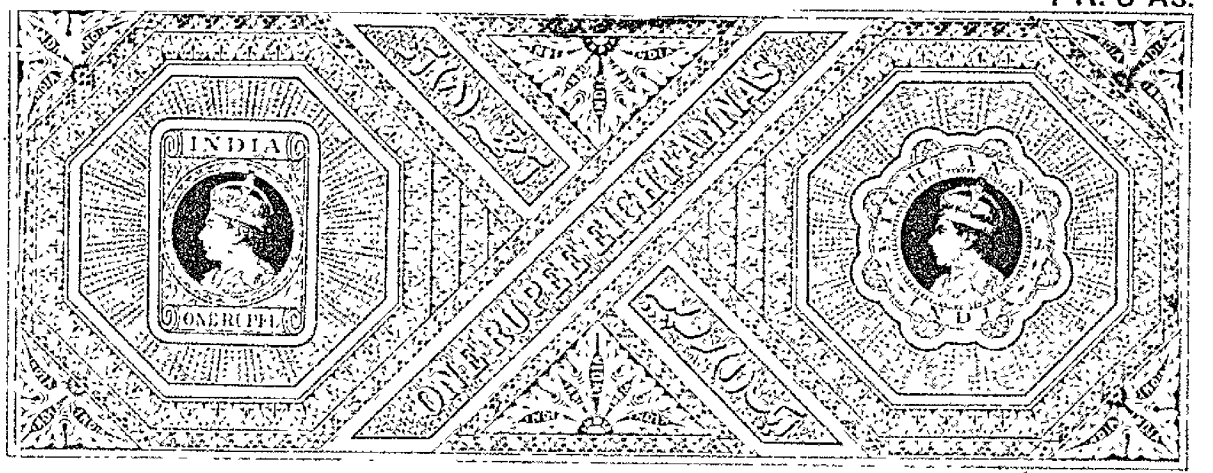
ಮತ್ತೆ ಈ ಮನೆವಳ್ಳನ್ನು ಕೆಳಗೆ ಬರಿದ ಆಕ್ಷೇಪಣೆಯು ಇಷ್ಟೆ, ಹಾಗು ಅವರ ಉದ್ದಗಲದ ಅಳತೆಯು ಅಜುಮಾನು ಕೆಳಗೆ ಬರೆದಂತೆ ಅಷ್ಟೆ,



(ಇಲ್ಲಿ ಉದ್ದಗಲು ಸಹಿತ ಆ ಮನೆಯಂಚು ತುಂಬಿನ ನಕಾಶೆಯನ್ನು ದಾಖಲು ಮಾಡಬೇಕು.)

[O. 184—2,000-10-08]

1 R. 8 As.



ಕ್ರ. ೨೯೦ ಕ್ರಯದ ಖರೀದಿ ಕಾಗದ ಬರೆದುಕೊಟ್ಟವರು

ಗದಗ

ಸಬ್‌ರಿಜಿಸ್ಟ್ರಾರ್ ಆಫೀಸಿನಲ್ಲಿ ಇಟ್ಟಿರುವ ಪುಸ್ತಕದಲ್ಲಿ

ಸಾಕ್ಷಿಗಳು

ಕ್ರಮ ನಂಬರ 360
ಸನ್ 1941 ನೇ ಇಸವಿ ಅಕ್ಟೋಬರ್ 20
ಪಾರ್ಟಿಯವರು 3 ಮಂದಿ
ಡಿ ವಸೂಲು ಏನೂ ಇಲ್ಲ.
ರಿಜಿಸ್ಟ್ರೇಷನ್ ಮಾಡಿದ ಅಧಿಕಾರಿಯ
ಸಹಿಯನ್ನು.

ಈ ಪುಸ್ತಕದಲ್ಲಿ ಮುಟ್ಟಿಸಿದ್ದು
ಸ್ಟಾಂಪಿನವರು ಫೀ ರೂ. ೦-12-೦
ಪೋಸ್ಟೇಜ್ ಫೀ ರೂ. 1-೯-೦
ಬಾಬತ್ತಿನಲ್ಲಿ

ಬೇರಾವ ಫೀ ರೂ. ೦-೦-3

ಒಟ್ಟು ಫೀ ರೂ. 2-11-3

Sub-Registrar,
Gadag.

Sub-Registrar,
Gadag.

G. D. G. I
360-I/5
1941

1-9
2-11-3

G. D. G. I
330-3/5
1941

G. D. G. I
360-3/5
1941

REGISTRAR OF

G. D. G. I
360-4/5
1941

SUB-REGISTRAR OF

G. D. G. I
360-5/5
1941

(1) ಶ್ರೀ ತಮ್ಮಣ್ಣಪ್ಪಾಚಾರ್ಯ ನಿಲುವಿಗಿಯ
ಸಂನ್ಯಾಸಿಯವರ ಕುಂಬಳಕಾಯಿ ಮಠದ
ಉಪಯೋಗಕ್ಕೆ ಇಟ್ಟಿರುವಂತಹ ಸ್ವತ್ತಿನಲ್ಲಿಗೆ
ಯುದಿ ನಿಲ್ಲಿಗೆ ಕಾಯಿಲ, ಲಂಗಿಮುಂ
ಳಗಳನ್ನು 47, ಕಡಿಗೆ (ಉಳುವಳಿಕೆ)

(2) ಮಾಳಿಗೆ ಮನೆಯನ್ನು ಕಟ್ಟಿಸಿಕೊಂಡಿರುವ
ಮಾಳಿಗೆ, ಉದ್ದ 32, ಪ್ಲಿಂಥಿನ ಅಗಲದ

ದಸ್ತಾವೇಜು ಮಾಡಿಕೊಡುವ
ವರು ಈ ದಸ್ತಾವೇಜು ನನಗೆ
ಕೊಟ್ಟಿದ್ದಕ್ಕೆ ವಪ್ಪುತ್ತಾರೆ.
ಇವರ ಗುರುತು ಸಬ್-ರಿಜಿ
ಸ್ಟ್ರಾರನಿಗೆ ಸ್ವತಃ ಅಡೆ.
Bmhatti
ಮಾಳಿಗೆಯನ್ನು ಕಟ್ಟಿಸಿಕೊಂಡಿರುವ

MAR 20 1941

Sub-Registrar,
Gadag.

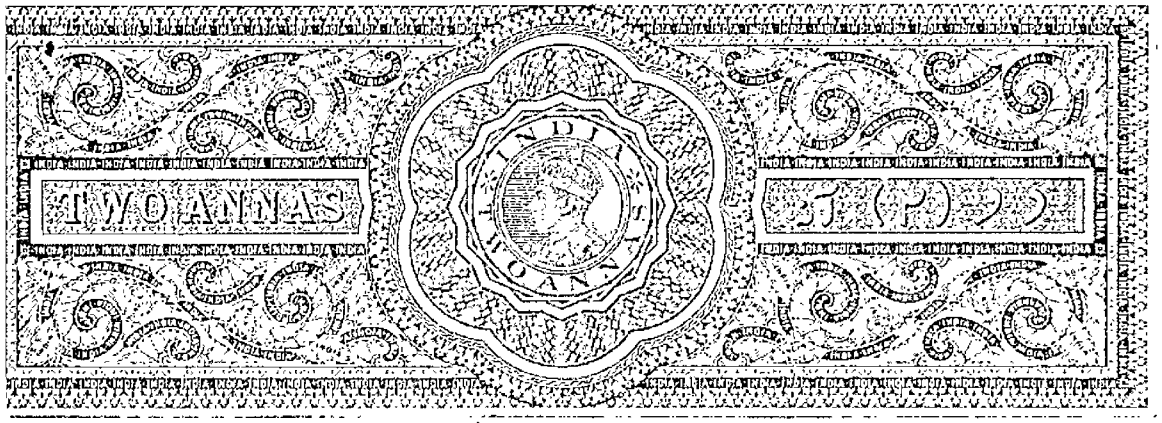
I ನೇ ಪುಸ್ತಕದ ಪುಟ್ಟ ನ
360 ನೇ ನಂಬರ್
ನೋಂದಿಸಲಾಯಿತು.

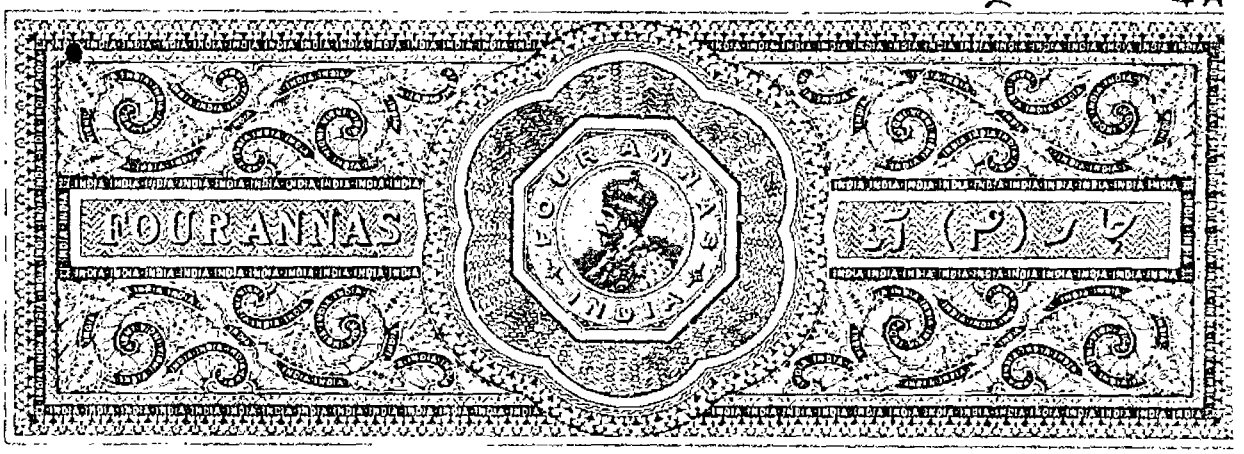
MAR 20 1941

Sub-Registrar,
Gadag.

THE SEAL OF THE SUB-REGISTRAR OF GADAG

Bombay Province 2 As.




FOUR ANNAS
INDIA

కొత్త ఆచారంలో ఉన్నవారు పాత ఆచారంలో ఉన్నవారిని ఎగతాళి చేయడం

నిమిషమని చుండి నవరత్నాలు ప్రతీదమానీదల్ల బినాయకతాడు [illegible] తెలుగు [illegible]

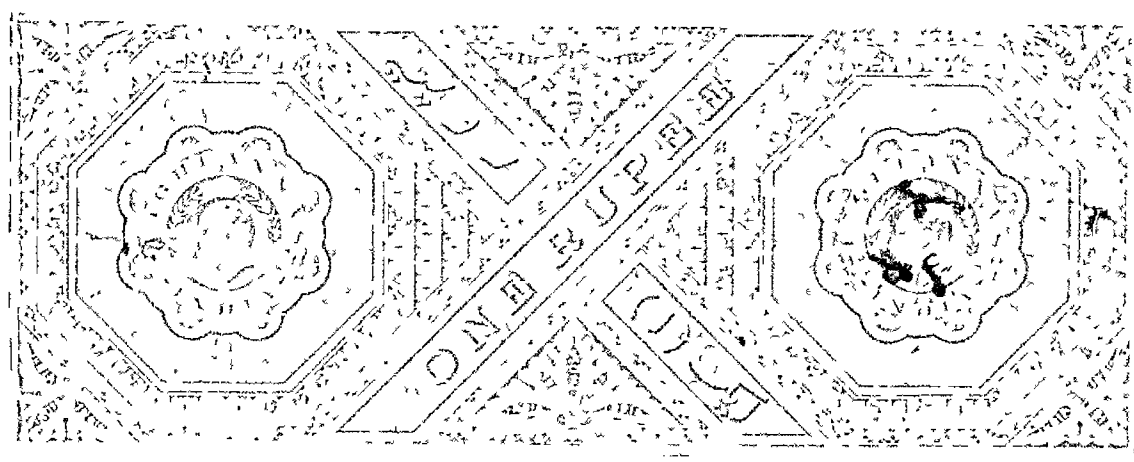
తిట్లు నిందలు తిండి దుబారా తొడ్డు జాతీయ [illegible] లాభం - ౬ - ౧౩౧

దన్నూర వనీమి పెద్దపేట చూచి తొల్లగానో నయమగాపుర

నాల్గనెనాలనన్నగు అంగుళంకీరమెలగాని నిశ్చ [illegible]

ఇ ఇపారలు పట్టే బంగారు కొత్తిమీర [illegible] నాకు ఇల్లరద్దాలతో [illegible]

రాయి



Venkhandu wife Pullamma

2 As
TWO ANNAS
INDIA
TWO ANNAS

ಅಂಬಿಗರ ಚೌಡಯ್ಯನವರ ವಚನಗಳಲ್ಲಿ ಕಂಡುಬರುವ ಸಾಮಾಜಿಕ ಸಂದೇಶಗಳು

ಅಂಬಿಗರ ಚೌಡಯ್ಯನವರು ಕಾಯಕ ಜೀವಿಗಳಾಗಿದ್ದರು. ಅವರು ಕಾಯಕವನ್ನು ಮಾಡುತ್ತಲೇ ಅನುಭವದ ಆಧಾರದ ಮೇಲೆ ವಚನಗಳನ್ನು ರಚಿಸಿದ್ದಾರೆ. ಅವರ ವಚನಗಳಲ್ಲಿ ಸಮಾಜಕ್ಕೆ ಅವಶ್ಯಕವಾದ ಅನೇಕ ಸಂದೇಶಗಳನ್ನು ಕಾಣಬಹುದಾಗಿದೆ. ಅವರ ವಚನಗಳಲ್ಲಿ ಕಂಡುಬರುವ ಕೆಲವು ಸಾಮಾಜಿಕ ಸಂದೇಶಗಳು ಈ ಕೆಳಗಿನಂತಿವೆ.

ಅಂಬಿಗರ ಚೌಡಯ್ಯನವರು ಕಾಯಕ ಜೀವಿಗಳಾಗಿದ್ದರು. ಅವರು ಕಾಯಕವನ್ನು ಮಾಡುತ್ತಲೇ ಅನುಭವದ ಆಧಾರದ ಮೇಲೆ ವಚನಗಳನ್ನು ರಚಿಸಿದ್ದಾರೆ. ಅವರ ವಚನಗಳಲ್ಲಿ ಸಮಾಜಕ್ಕೆ ಅವಶ್ಯಕವಾದ ಅನೇಕ ಸಂದೇಶಗಳನ್ನು ಕಾಣಬಹುದಾಗಿದೆ. ಅವರ ವಚನಗಳಲ್ಲಿ ಕಂಡುಬರುವ ಕೆಲವು ಸಾಮಾಜಿಕ ಸಂದೇಶಗಳು ಈ ಕೆಳಗಿನಂತಿವೆ.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

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[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 5-3-

[illegible]

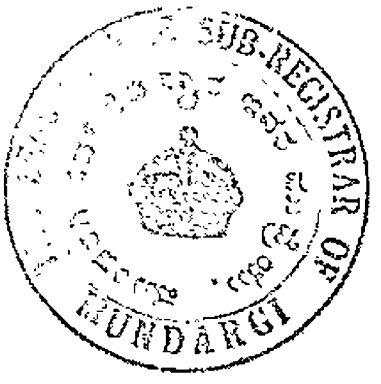
[illegible]

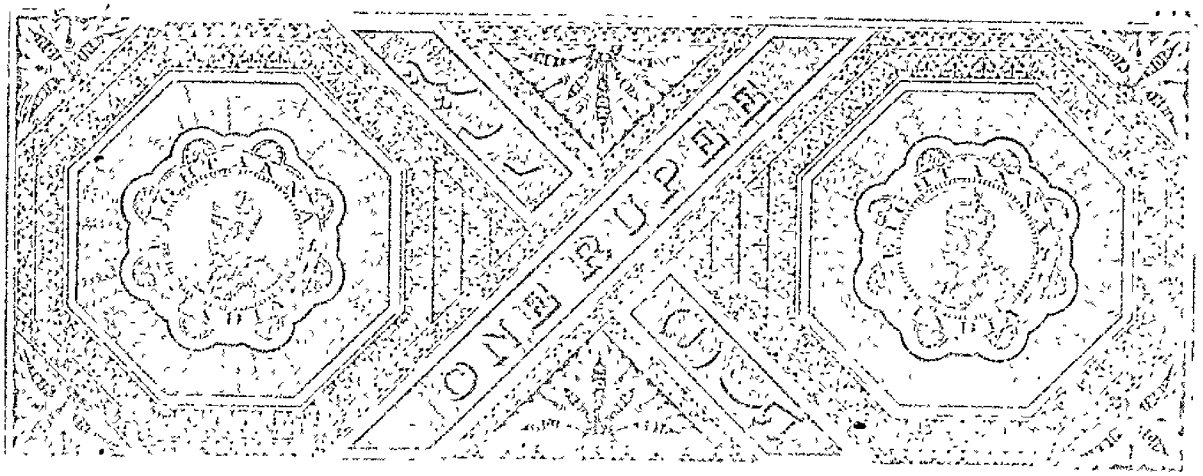
[illegible]

ONE RUPEE

ಸಹ ನೋಂದಣಿ ಅಧಿಕಾರಿ ಗುಂಡಗಿ

ಸಹ ನೋಂದಣಿ ಅಧಿಕಾರಿ.
ತಾರೀಖು ??.....





19-12-96

36

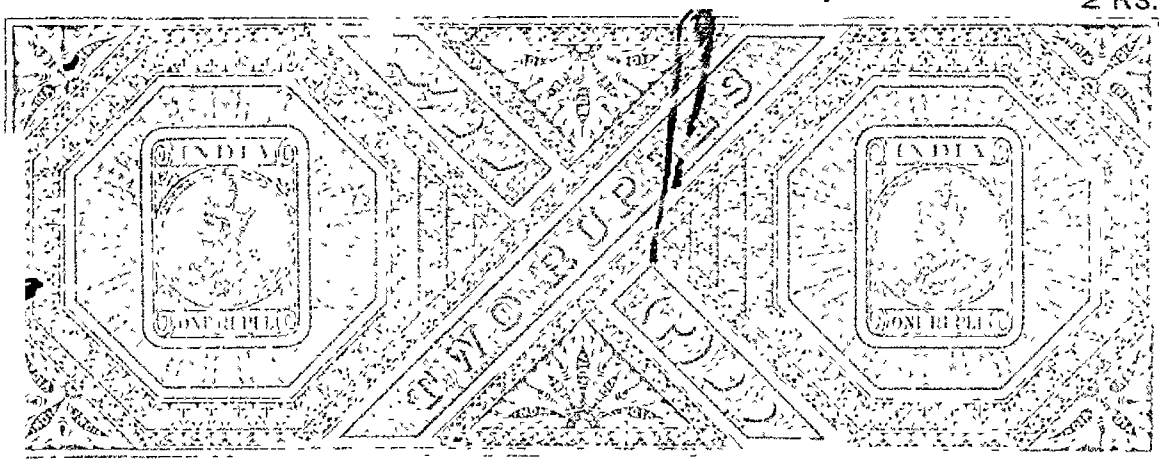
26 జనవరి

23 4

5 ముంత్రిగి

2.57

2 Rs.



Executed and signed before me in Simla

9 December 1930

Gadag

9/12/30

ಶ್ರೀಮನ್ನಿಖಿಲ ಶಾಸ್ತ್ರ ಪರಿಪೂರ್ಣ ಸಕಲ ವಿದ್ವಜ್ಜನ
ಆಗ್ರಗಣ್ಯರಾದ ಶ್ರೀಮದ್ವಿದ್ವಾನ್ ಶ್ರೀನಿವಾಸ
ಗುರು ಆಗ್ರಗಣ್ಯರಾದ ಶ್ರೀಮದ್ವಿದ್ವಾನ್ ಶ್ರೀಪತಿ
ವರು ನಿಂತಿರುವ ನಮ್ಮ ತಂದೆಯವರಾದ ಸ್ವರ್ಗೀಯ
ಲಿಂಗರಾಜ ಪಂಡಿತರಿಗೆ ----

ಶರಣಾರ್ಥಿ ಪೂರ್ವಕವಾಗಿ ಶ್ರೀಮನ್ನಿರಂಜನ ಪಂಚಾಕ್ಷರೀ
ಪರಮಪೂಜ್ಯ ಗುರುವರ್ಯರು ಆಗ್ರಗಣ್ಯರಾದ ಶ್ರೀಮದ್ವಿದ್ವಾನ್
ಬಸವಯ್ಯ ಸ್ವಾಮಿಗಳವರಲ್ಲಿ ವಿಜ್ಞಾಪನೆಯನ್ನು ಮಾಡಿಕೊಳ್ಳುವುದೇನೆಂದರೆ.

ನಮ್ಮ ಸ್ವಾಮಿಗಳವರಿಗೆ ಬಿಂಕವಿರುವುದಿಲ್ಲವೆಂಬುದು
ನಿಮಗೆ ತಿಳಿದ ವಿಷಯವೇ ಆಗಿದೆ. ಅಂತೆಯೇ ಸಾಧಾರಣ
ಶಿಷ್ಯರಿಗೆ ಮುದ ನಿಮ್ಮವರಲ್ಲಿ ನಮ್ಮ ನಿಮ್ಮವರೆಂಬ ಭೇದವಿಲ್ಲ
ದಿರುವುದು. ನಮ್ಮವರೆಂದರೆ ಪ್ರೀತಿಯಿಂದ ಕಾಣುವರು
ಮತ್ತು ಮಾತನಾಡಿಸುವರು ಅವರಲ್ಲಿ ಸಲಿಗೆಯಿಂದ ಇರುವರು
ಮತ್ತು ಸಂತೋಷವನ್ನು ಹಂಚಿಕೊಳ್ಳುವರು. ಇದೆಲ್ಲವೂ
ನಿಮಗೆ ತಿಳಿದ ವಿಷಯವೇ ಆಗಿದೆ. ಆದರೆ ಇಂದು
ನಾವು ನಿಮ್ಮಲ್ಲಿ ಬಂದಿರುವ ಕಾರಣವೇನೆಂದರೆ. ಇಷ್ಟು
ದಿವಸಗಳಿಂದ ಸ್ವಾಮಿಗಳವರಿಗೆ ಆರೋಗ್ಯವು ಸರಿಯಾಗಿರಲಿಲ್ಲ.
ಆರೋಗ್ಯವು ಸರಿಯಾಗಿಲ್ಲದ್ದರಿಂದ ಸ್ವಾಮಿಗಳವರು
ನಿಮ್ಮಲ್ಲಿಗೆ ಬರಲಾಗಲಿಲ್ಲ. ಆದರೆ ಸ್ವಾಮಿಗಳವರು
ನಿಮ್ಮನ್ನು ನೋಡಬೇಕೆಂಬ ಆಸೆಯಿಂದ ಇದ್ದಾರೆ. ಆದ್ದರಿಂದ
ನಾವು ಸ್ವಾಮಿಗಳವರನ್ನು ಕರೆದುಕೊಂಡು ಹೋಗಲು
ಬಂದಿದ್ದೇವೆ. ಆದ್ದರಿಂದ ನೀವು ಸ್ವಾಮಿಗಳವರನ್ನು
ನೋಡಲು ಬರಬೇಕೆಂದು ಆಹ್ವಾನಿಸಲು ಬಂದಿದ್ದೇವೆ.
ಆದರೆ ಸ್ವಾಮಿಗಳವರನ್ನು ಕರೆದುಕೊಂಡು ಹೋಗಲು
ನಿಮಗೆ ಅನುಕೂಲವಿಲ್ಲದಿದ್ದರೆ ನಾವು ಸ್ವಾಮಿಗಳವರನ್ನು
ಕರೆದುಕೊಂಡು ಹೋಗಿ ಬಿಡುತ್ತೇವೆ. ಆಗ
ನಿಮಗೆ ಯಾವ ಅಭ್ಯಂತರವೂ ಇರಲಾರದು ಎಂದು
ತಿಳಿದಿದ್ದೇವೆ. ಸ್ವಾಮಿಗಳವರನ್ನು ಕರೆದುಕೊಂಡು

[illegible]

ఓ. రకం -	సర్వే నం.	విస్తీర్ణం	శిస్తు
	౧౦౮	౧౭-౧౦	౯
	౧౪౩/A	౧-౩౫	౧౧౨
	౭	౫	
రెం రకం -	౧౫౮	౭౧-౧౭	౭౯
మూడు రకం -	౨౩౫	౧౭-౫	౭
	౨౩౪	౧౩-౧౦	౭
	౯౭	౬-౭౭	౩-౮
	౯	౭-౩౮	౩-౭
	౭	౪-౧౦	౩-౮
		౪	

౯౦ ౧౫౫

[illegible] - ౨౫౧ - ౭౮-౭౭ - ౩౯
౨౯౩ - ౧౨ - ౨౧ - ౧౯
౨౯౪ ౧౨ - ౨౫ = ౧౮

[illegible] - ౦-౨౪ - ౦-౮

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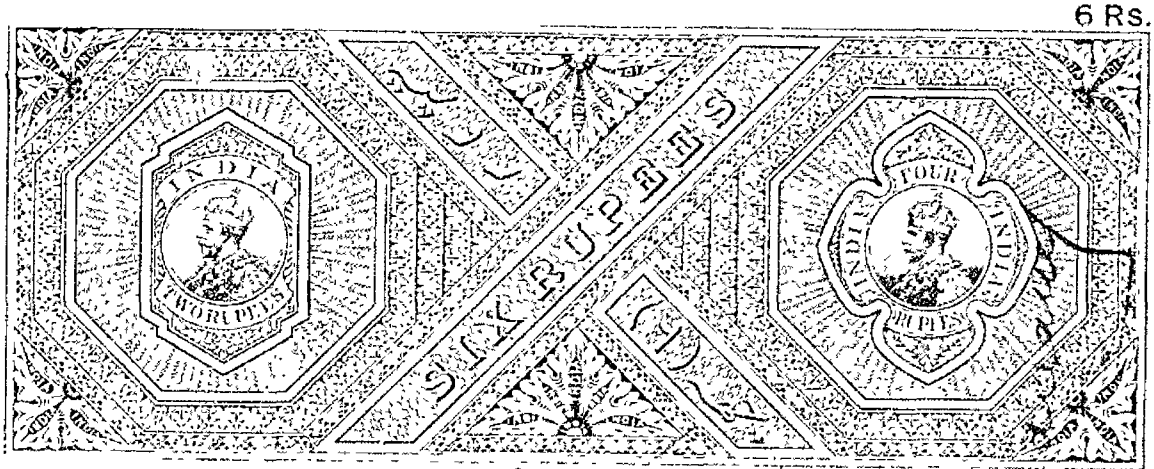
6 Rs.



14 DEC 1992

EDWARD
EMPEROR

ONE RUPEE

ಸಂಖ್ಯೆ:

ಅಧಿಸೂಚನೆ

ಸಾರ್ವಜನಿಕರಿಗೆ ತಿಳಿಸಲು ಸಂತೋಷವಾಗುತ್ತದೆ. ಸಾರ್ವಜನಿಕರಿಗೆ ತಿಳಿಸಲು ಸಂತೋಷವಾಗುತ್ತದೆ.

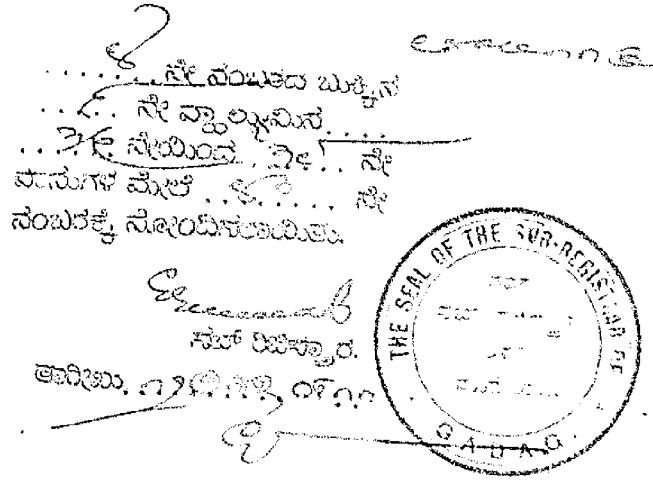
ಸಾರ್ವಜನಿಕರಿಗೆ ತಿಳಿಸಲು ಸಂತೋಷವಾಗುತ್ತದೆ. ಸಾರ್ವಜನಿಕರಿಗೆ ತಿಳಿಸಲು ಸಂತೋಷವಾಗುತ್ತದೆ.

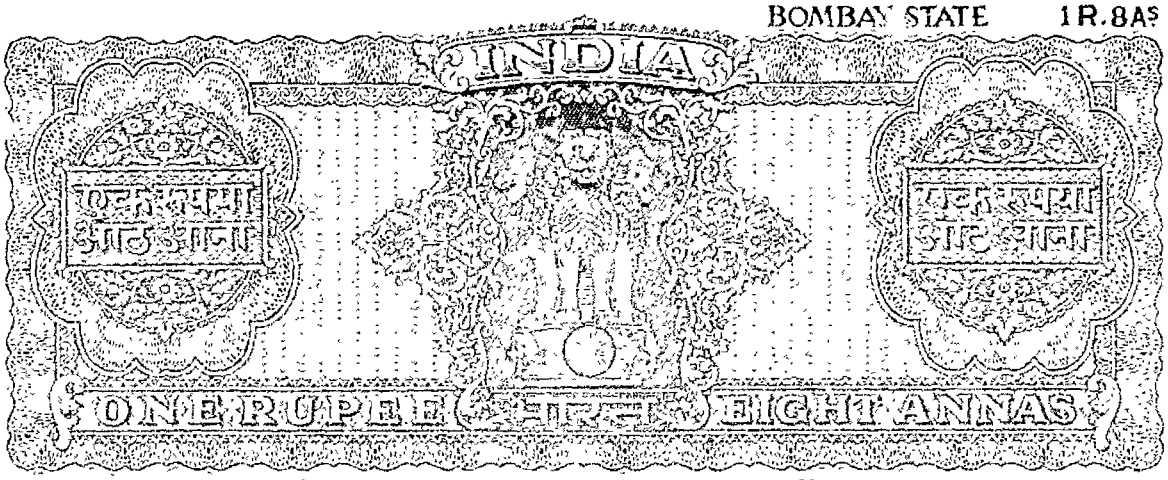
ಸಾರ್ವಜನಿಕರಿಗೆ ತಿಳಿಸಲು ಸಂತೋಷವಾಗುತ್ತದೆ.

ಸಹಿ/-

ಸಾರ್ವಜನಿಕರಿಗೆ ತಿಳಿಸಲು ಸಂತೋಷವಾಗುತ್ತದೆ. ಸಾರ್ವಜನಿಕರಿಗೆ ತಿಳಿಸಲು ಸಂತೋಷವಾಗುತ್ತದೆ.

Vinothkumar




BOMBAY STATE 1R.8AS
INDIA
ONE RUPEE EIGHT ANNAS

శరీరకర్తృభేదేన లక్షణభేదముండదు
లక్షణభేదముండి వుండాల్సినప్పుడు
గదకర్తృత్వాల్నగదకర్మసాంసుఖరశోధనవ
శరీరకర్తృత్వం అయినందుకని ——

నంనన్న అొంద్రకు ఊంనీన్ని ధ్రియువరు వుండగళన్ని
సిమ్ము ఆ ఆవళ్ళనుంచొంధినధశాంఖిముధసాంధసాంధమో
ళ్ళి మ్ము ధశ్నే నన్ను నన్ను నేలయి శిశోంఠిరు అ్యాంధి నంనసం
వరఱ్ఱే ఊా ధ్రధ్ధాంశి ఊంనుమ్ము ధధవ్యవకొంధ్రిమ్ము ఆవన
బన్ని ఆవళ్ధ శబుజుం ధల్లారువళు సిమ్ము నగళన్ని నంనసబి
జీంశ్నే శోమ్ము ధ్రధ్ధధ్వరఆ·శ్రశ్రీ(లు.

ధ్రీంరసంధజిల్ధ్ధ కోఁణ ఆాళ్ధ్ధశబ్ధిరభిస్త్రీంరధ
దిధిందమ్ము క్రైశ్రీ· సాంధమోళిన్ని మ్ము ధధ్రీ·న్ని·న్ని· అందుకని
శ్రీ గ3·గ్ర
శ్రీ-2

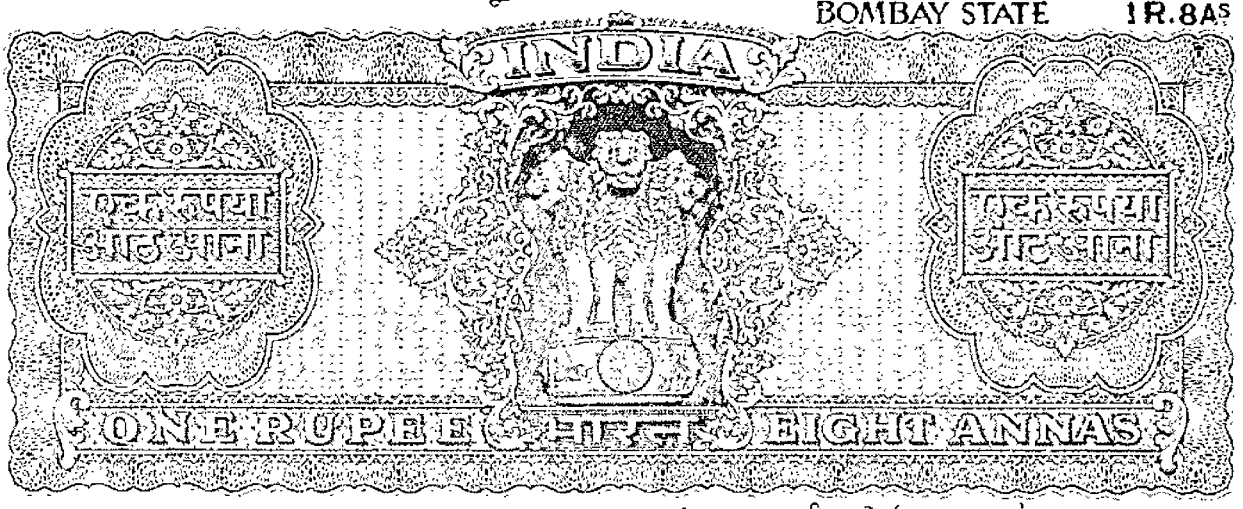
శ్రీశాంర
గ3-0—
ధ-శ్ర— } ఱు అందుకని ధధవ్యవకొంధ్రిమ్ము.

ఆ ధ్రిళ్ళ ఆాళ్ధ్ధ నబ్ధిరభిస్త్రీంరధదిధిందమ్ము క్రైశ్రీ ఱు అం
నగళన్ని గళుధధ్రీ·న్ని·న్ని· అందుకని శ్రీశాంర
గ3శ్ర గళ-గధ 30—

ఖిజీంమురజిల్ధ్ధ బధాంళు ఱుఆాళ్ధ్ధ నబ్ధిరభి
స్త్రీంరధదిధిందమ్ము క్రైశ్రీ· నెఱరలసిమ్ము ధల్లారువళుం
నశిశ్రీధనంబర అందుకని శ్రీశాంర ఱుఖమంజీమసు-
గ3 · గ3-గధ గ3-గ3—

ఱుఖమశాంరంళు(లాళ్ధ్ధ ఱుఖిధమ్ము గళజీమసుమ

గణిన్మర్మజ్ఞ సంధాత్రీ గీర్వాణ మందార వల్లీ
కరుణాపూరతరంగిత భోగులారా


BOMBAY STATE
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INDIA
ONE RUPEE EIGHT ANNAS

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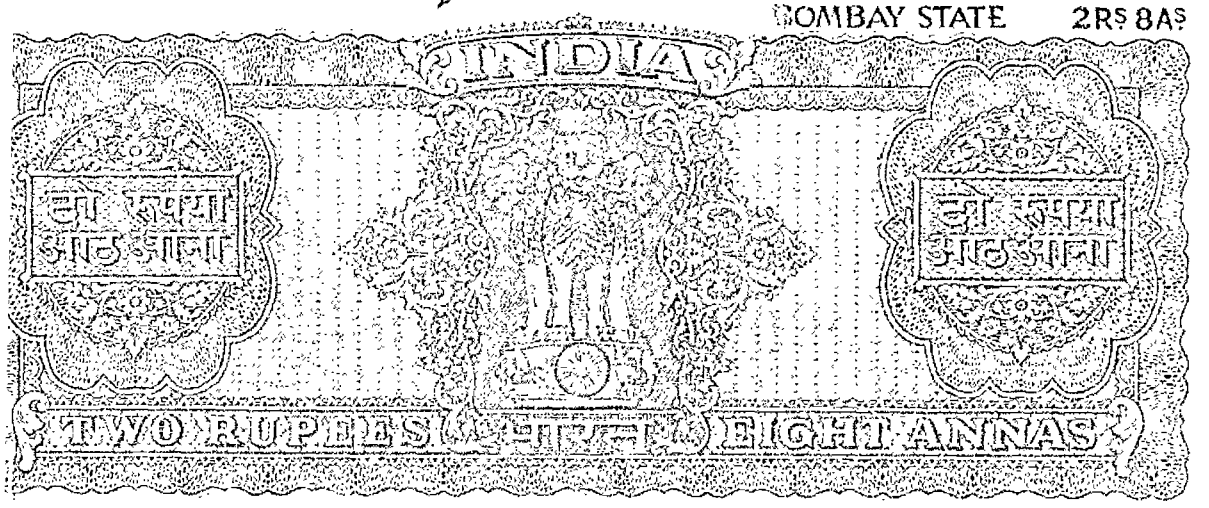

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INDIA

ONE RUPEE EIGHT ANNAS

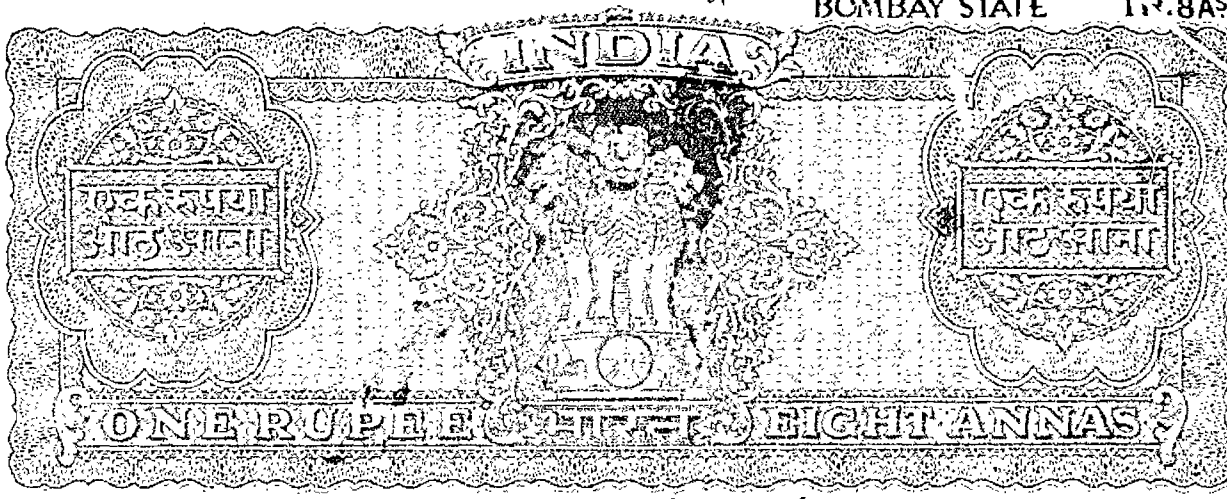
శ్రీ రంగరాజపురం శ్రీ వసుంధరాంబన
శ్రీ వసుంధర చరణము ఆరాధనమునకు
ఆ రోజు చదివించుటకు కొన్ని పుస్తకములు
నాకు ఉపకరించుటకు నిమిత్తమై నాకు ఇవ్వవలసిన
ఉపకరణంగా ఎంతో నమ్మకము ——

నన్ను నమ్మి ఆంధ్ర దేశమునుండి వచ్చిన వారు ఆరాధన
ఆరోగ్యమున్నంత వరకు ఆరాధనలో పాల్గొనుటకు
రాంగలు ఉపకరణములు ఇవ్వవలసినదిగా కోరుచున్నాను
నీలుగిరి రాయుడు అనే నా పేరు చెప్పి
ప్రధానమైన దాసుడుగా కార్యక్రమాలు చేయుటకు
ఆరాధనకు ఇవ్వవలసిన వస్తువులు నమ్మకమైన
నీకు ఇవ్వబడ్డాయి —

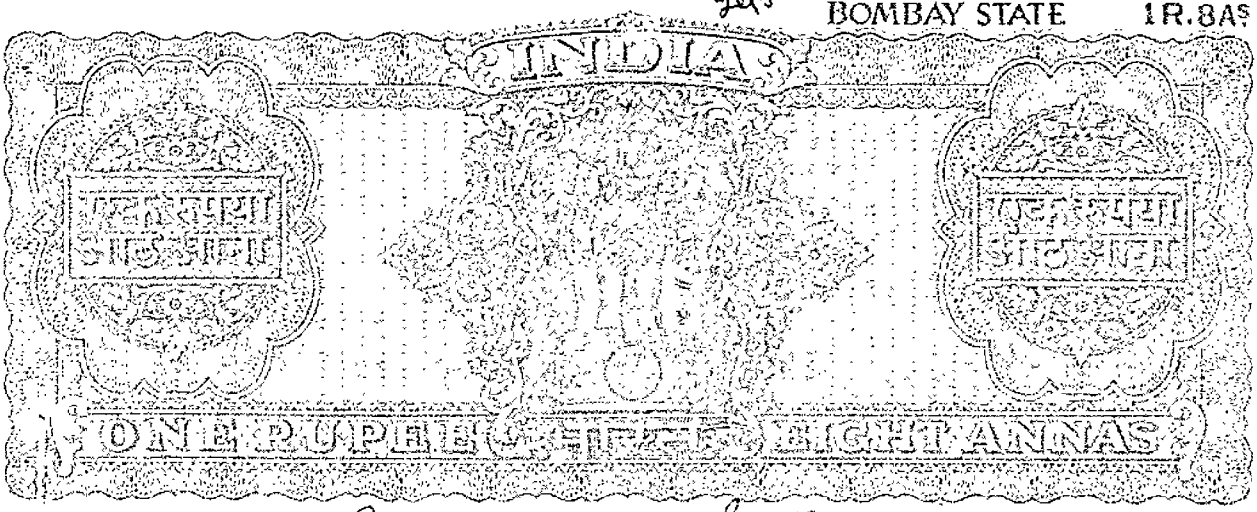
కొంతమంది ఆరాధనలో ఎంతమంది నీలుగిరి
రజిస్టర్ లో వ్రాయండి. ఉదా: నాగు.

ఉపకరణములు	రి.నీ.నా.	ఎంతకి	ఆకొంత
	గ	౯-గళ	౯-గళ
	౨౮౩	గం-గద	గళ-౫
పుస్తకాలు.	౩౭౮	౩౪-౪	౫౪-౦
కంగనాళ్ళు	౮౭	౭-౩గ	గగ-౦
	౬౫౫	౩గ-౩౭	౩౦-౦
కుంకుడుగాళ్ళు	౫౦	౮-గ	గం-౦
శ్రీ గంధం గిరి	౩౬౩	గ౬-౭౦	గ౮-౦

BOMBAY STATE 1R.8As



ఈ నిందలోపలగంధర్వుని విగ్రహప్రతిష్ఠాపరంపర
శతాబ్దాలుగా కొనసాగుతూ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ಶಂಕರಪ್ರಭೇದಿ: ಶ್ರೀವಿಷ್ಣುಸಂಭವನ
ಭಂದ್ರಶೇಖರಚರಮೂರ್ತಿನಳ
ಗುರು ಆಂಜನೇಯದಾಂಯರ್ದೇವರಾನ್ಗ್ರ
ಲಸಳು ನಾಂ ಅಂಜನೀಸುತ ಆಂಜನೇಯವಲಮುಂದನಾಂ
ನಮಬರಕೊಡುವಶರಾಂಕರಕ್ರಯಂಲಲನಂದಶಿ —

ನನ್ನನ್ನ ಆಂತ್ರಮಾಂನಿಷ್ಟಿನಿಂಯವರು ಆಂಜನಮೂ
ಆಧಿನಳನ್ನಾನಿಮುಂತಿ ಆವಳ್ಳಿನಂ ನಿಂಭಿನಬಕ್ಷಾಖಮು
ರಾಂದಅಂಜನೀಸುತಸ್ವಾಮಿದನಿವಳ್ಳಿಯಂರಚ್ಚಿನನ್ನ
ನ್ನನೀಲುಶಿಕೊಂಡಿರುಆ್ಲಿತಿನಂನನೀಂವರಳ್ಳಿ
ಲಾಧ್ರಿಂನಿಮಾನಮುರಭಕ್ಷಕನಿಂಭಿಮುಖವ
ಬನ್ನಿ ಆವಳ್ಳಿಕಬಜ್ಞಾಂಧಲ್ಲಿರುವಭೀರಂಡಿಜಿನ್ನ
ನ. ನವಲಮುಂದಲುಳ್ಳಿನಬ್ಬರಳಿನ್ಕೊರದವಿದ
ಯಂಬ್ರಿಶಿಅಂಜನೀಸುತಸ್ವಾಮಿದಲು ಳಂಜ

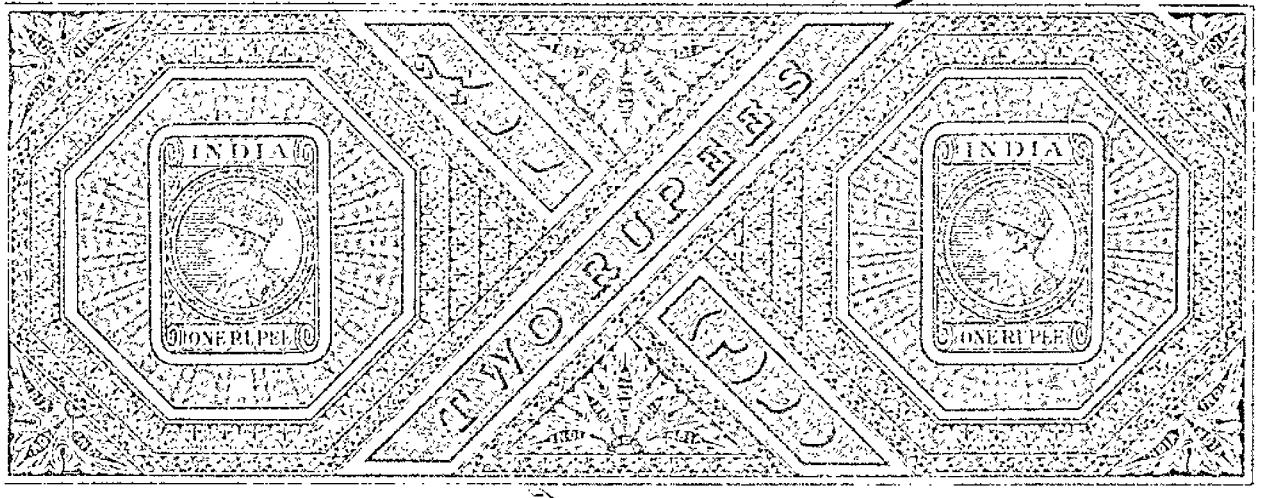
ಮುನಂಜಿಂಗಿನಂಗಂ.	ಯಂಕಶಿ ಲ್ಲಿಶಂಕರ	
ಗಗಳಸ	ಲ-೨೨	ಗಸ—ಂ—
ಗಗಳಲ	ಕೊ.ಮ ಂ-೨೬	ಲ—ಂ—
ಗಗಳಲ	ಳ-೨೧	ಲ—ಂ—
ಗಗಳಲ	ಸ-೧೭	ಗಲ—ಂ—
ಗಗಳಲ	ಗಲ-ಸ	ಲಲ—ಂ—
ಗಗಳಲ	ಗಲ-೨೨	ಲಲ—ಂ—
ಗಗಳ	ಗಲ-೨೭	ಲಲ—ಂ—
ಗಗಸ	ಗಲ-೨೨	ಲಲ—ಂ—

ಲಶ್ರಶಂಂಕಿಲ್ಳಂರಭಸಗಳಗನ್ನ
ನಂನರಭಸಕ್ಕೆ. ಶೊಭಶ್ರಶಂಂ. ನಾನು

ఏ నింగ్లీష్ నుండి తెలుగు చిత్రం
శతమానం భవతి

Bombay Province

2 Rs.



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Sub-Registrar.
Gadag

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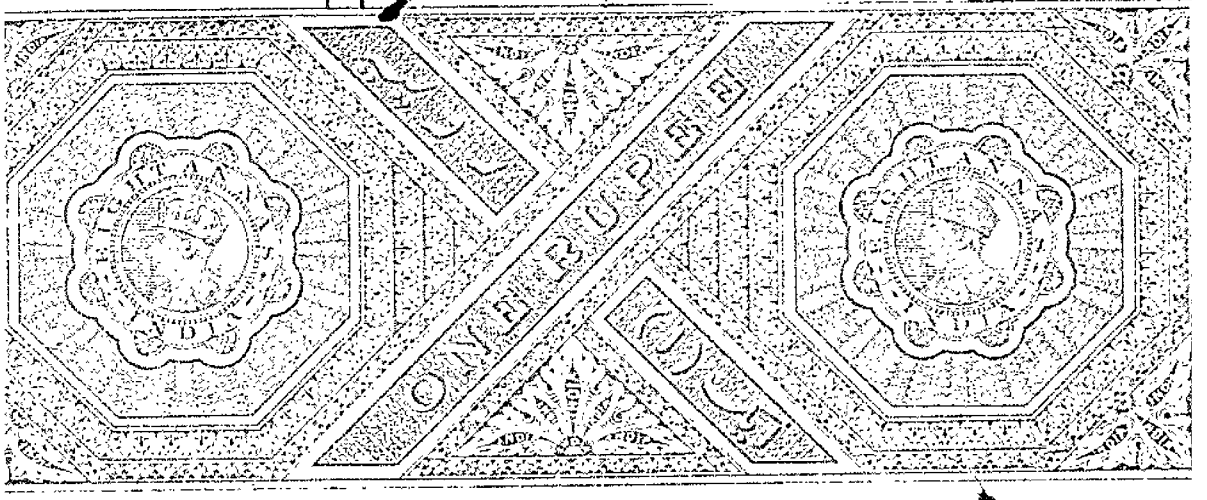

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Sub Registrar,
Gadag.

IV ನೇ ಕಂಬಿಡ ಬಾಕ್ಸಿನ
1287ನೇ ನಂಬರ್ಕ್ಕೆ
ಸೇರಿಸಲಾಯಿತು.
27-6-1951

Sub-Registrar,
Gadag

SEAL OF THE SUB-REGISTRAR OF GADAG

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Copy applied for by Shriman Kunaraj Niranjan Jagadgu-
guru Tontad Mariguru Totadaswamy of Late Maktiyar
Tontad Mariguru Totadaswamy Sevaseth Math Dumbal of
Gadag Taluka on 27-10-1915.

It was ready for delivery on 16-11-15.

It was delivered on

No. of words,	Copying fee	Comp. fee	Paper charges,	Total.
1320	1/10/6	0/7/0	0/1/0	2/3/3.

Sd. for Collector
of Dharwar.

Order passed by the District Magistrate Dharwar on 6-4-1913 regarding claim of Annadanaswamy of Kundergi to go in procession with Adpalki and Panch Kalade.

Order.

In this case the question at issue is the correctness or otherwise of the claim put forward by the Annadanaswamy of Gadag, to be carried in cross palanquin with the insignia of Pancha Kalasa and the effect of the finding on that issue as regards the District Magistrate's duty with respect to S.44 of the Bombay District Police Act, and S. 144 of the Criminal Procedure Code.

2. The claim of the Annadanaswamy is contested by the Totadaswamy of Gadag, who asserts his spiritual and temporal superiority over the former and regards the exercise of the right claimed as derogatory to his own headship. The right of the Totadaswamy to go in procession with cross palanquin and Pancha Kalasa was been considered and admitted by the Collector and District Magistrate in his order of the 14th May 1908. Mr. Gibb found that the practice had been